Digitized by the Internet Archive
in 2026

https://archive.org/details/historyofscotlan0000robe_g8s3

THE
HOME UNIVERSITY LIBRARY
OF MODERN KNOWLEDGE

A COMPREHENSIVE SERIES OF NEW
AND SPECIALLY WRITTEN BOOKS

EDITORS:
Prof. GILBERT MURRAY, D.Litt., LL.D., F.B.A.
The Rt. Hon. H. A. L. FISHER, M.P.
Prof. J. ARTHUR THOMSON, M.A., LL.D.
Prof. WILLIAM T. BREWSTER, M.A.

256 pages. - - - - In cloth binding.

HISTORY AND GEOGRAPHY

3. THE FRENCH REVOLUTION. By HILAIRE BELLOC, M.A. (With Maps.)
4. A SHORT HISTORY OF WAR AND PEACE. By G. H. PERRIS.
8. POLAR EXPLORATION. By Dr W. S. BRUCE, F.R.S.E., Leader of the *Scotia* Expedition. (With Maps.)
12. THE OPENING-UP OF AFRICA. By Sir H. H. JOHNSTON, G.C.M.G., F.Z.S. (With Maps.)
13. MEDIÆVAL EUROPE. By H. W. C. DAVIS, M.A. (With Maps.)
14. THE PAPACY AND MODERN TIMES (1303-1870). By WILLIAM BARRY, D.D.
23. HISTORY OF OUR TIME (1885-1913). By G. P. GOOCH, M.A.
25. THE CIVILISATION OF CHINA. By H. A. GILES, LL.D., Professor of Chinese at Cambridge.
29. THE DAWN OF HISTORY. By J. L. MYRES, M.A., F.S.A.
33. THE HISTORY OF ENGLAND. By Prof. A. F. POLLARD, M.A. (With a Chronological Table.)
34. CANADA. By A. G. BRADLEY.
37. PEOPLES AND PROBLEMS OF INDIA. By Sir T. W. HOLDERNESS, K.C.S.I.
42. ROME. By W. WARDE FOWLER, M.A.
48. THE AMERICAN CIVIL WAR. By F. L. PAXSON.
51. WARFARE IN BRITAIN. By HILAIRE BELLOC, M.A.
55. MASTER MARINERS. By J. R. SPEARS.

61. NAPOLEON. By the Rt. Hon. H. A. L. Fisher, M.P.
66. THE NAVY AND SEA POWER. By David Hannay.
71. GERMANY OF TO-DAY. By Charles Tower.
82. PREHISTORIC BRITAIN. By Robert Munro, M.A., M.D., LL.D., F.R.S.E. (Illustrated.)
91. THE ALPS. By Arnold Lunn. (Illustrated.)
92. CENTRAL AND SOUTH AMERICA. By Prof. W. R. Shepherd. (Maps.)
97. THE ANCIENT EAST. By D. G. Hogarth, M.A. (Maps.)
98. WARS BETWEEN ENGLAND AND AMERICA. By Prof. T. C. Smith, M.A.
100. HISTORY OF SCOTLAND. By Prof. R. S. Rait.
101. BELGIUM. By R. C. K. Ensor. (Maps.)
105. POLAND. By Prof. W. Alison Phillips. (With Maps.)
107. SERBIA. By L. F. Waring.
108. OUR FORERUNNERS. A Study of Palæolithic Man's Civilisations in Western Europe and the Mediterranean Basin. By M. C. Burkitt, M.A., F.S.A. (Illustrated.)
113. WALES. By W. Watkin Davies, M.A., F.R.Hist.S.

LITERATURE AND ART

2. SHAKESPEARE. By John Masefield.
27. ENGLISH LITERATURE: MODERN By G. H. Mair, M.A.
35. LANDMARKS IN FRENCH LITERATURE. By G. L. Strachey.
39. ARCHITECTURE. By Prof. W. R. Lethaby (Illustrated.)
43. ENGLISH LITERATURE: MEDIÆVAL. By Prof. W. P. Ker, M.A.
45. THE ENGLISH LANGUAGE. By L. Pearsall Smith, M.A.
52. GREAT WRITERS OF AMERICA. By Prof. J. Erskine and Prof. W. P. Trent.
63. PAINTERS AND PAINTING. By Sir Frederick Wedmore. (With 16 half-tone Illustrations.) From the Primitives to the Impressionists.
64. DR JOHNSON AND HIS CIRCLE. By John Bailey, M.A.
65. THE LITERATURE OF GERMANY. By Prof. J. G. Robertson, M.A., Ph.D.
70. THE VICTORIAN AGE IN LITERATURE. By G. K. Chesterton.
73. THE WRITING OF ENGLISH. By W. T. Brewster, A.M., Professor of English in Columbia University.
75. ANCIENT ART AND RITUAL. By Jane E. Harrison, LL.D., D.Litt.
76. EURIPIDES AND HIS AGE. By Gilbert Murray, D.Litt., LL.D., F.B.A.
87. CHAUCER AND HIS TIMES. By Grace E. Hadow.
89. WILLIAM MORRIS: HIS WORK AND INFLUENCE. By A. Clutton Brock.
93. THE RENAISSANCE. By Edith Sichel.
95. ELIZABETHAN LITERATURE. By J. M. Robertson, M.P.
99. AN OUTLINE OF RUSSIAN LITERATURE. By Hon. Maurice Baring.
103. MILTON. By John Bailey, M.A.
111. PATRIOTISM IN LITERATURE. By John Drinkwater, M.A.
112. MUSIC. By Sir W. H. Hadow.

SCIENCE

7. MODERN GEOGRAPHY. By MARION I. NEWBIGIN, D.Sc.
9. THE EVOLUTION OF PLANTS. By Dr D. H. SCOTT, M.A., F.R.S. (Illustrated.)
17. HEALTH AND DISEASE. By W. LESLIE MACKENZIE, M.D.
18. INTRODUCTION TO MATHEMATICS. By A. N. WHITEHEAD, Sc.D., F.R.S. (With Diagrams.)
19. THE ANIMAL WORLD. By Prof. F. W. GAMBLE, F.R.S. With Introduction by Sir Oliver Lodge. (Many Illustrations.)
20. EVOLUTION. By Prof. J. ARTHUR THOMSON, M.A., and Prof. PATRICK GEDDES.
22. CRIME AND INSANITY. By Dr C. A. MERCIER.
28. PSYCHICAL RESEARCH. By Sir W. F. BARRETT, F.R.S.
31. ASTRONOMY. By A. R. HINKS, M.A., Chief Assistant, Cambridge Observatory.
32. INTRODUCTION TO SCIENCE. By J. ARTHUR THOMSON, M.A.
36. CLIMATE AND WEATHER. By Prof. H. N. DICKSON, D.Sc.Oxon., M.A., F.R.S.E. (With Diagrams.)
41. ANTHROPOLOGY. By R. R. MARETT, M.A.
44. THE PRINCIPLES OF PHYSIOLOGY. By Prof. J. G. MCKENDRICK, M.D.
46. MATTER AND ENERGY. By F. SODDY, M.A., F.R.S.
49. PSYCHOLOGY, THE STUDY OF BEHAVIOUR. By Prof. W. MCDOUGALL, F.R.S., M.B.
53. THE MAKING OF THE EARTH. By Prof. J. W. GREGORY, F.R.S. (With 38 Maps and Figures.)
57. THE HUMAN BODY. By Prof. Sir A. KEITH, M.D., LL.D. (Illustrated.)
58. ELECTRICITY. By GISBERT KAPP, D.Eng. (Illustrated.)
62. THE ORIGIN AND NATURE OF LIFE. By Dr BENJAMIN MOORE, Professor of Bio-Chemistry, University College, Liverpool.
67. CHEMISTRY. By RAPHAEL MELDOLA, F.R.S. Presents clearly the way in which chemical science has developed, and the stage it has reached.
72. PLANT LIFE. By Prof. J. B. FARMER, D.Sc., F.R.S. (Illustrated.)
78. THE OCEAN. A General Account of the Science of the Sea. By Sir JOHN MURRAY, K.C.B., F.R.S. (Colour Plates and other Illustrations.)
79. NERVES. By Prof. D. FRASER HARRIS, M.D., D.Sc. (Illustrated.) A description, in non-technical language, of the nervous system, its intricate mechanism, and the strange phenomena of energy and fatigue, with some practical reflections.
86. SEX. By Prof. PATRICK GEDDES and Prof. J. ARTHUR THOMSON, LL.D.
88. THE GROWTH OF EUROPE. By Prof. GRENVILLE COLE. (Illustrated.)
109. COMMERCIAL GEOGRAPHY. By MARION I. NEWBIGIN, D.Sc.
110. AN INTRODUCTION TO THE STUDY OF HEREDITY. By Prof. E. W. MACBRIDE, M.A., D.Sc., LL.D., F.R.S. (Illustrated.)

PHILOSOPHY AND RELIGION

15. MOHAMMEDANISM. By Prof. D. S. MARGOLIOUTH, M.A., D.Litt.
40. THE PROBLEMS OF PHILOSOPHY. By the Hon. BERTRAND RUSSELL, F.R.S.
47. BUDDHISM. By Mrs RHYS DAVIDS, M.A.
50. NONCONFORMITY: ITS ORIGIN AND PROGRESS. By Principal W. B. SELBIE, M.A.

54. ETHICS. By G. E. Moore, M.A.
56. THE MAKING OF THE NEW TESTAMENT. By Prof B. W. Bacon, LL.D., D.D.
60. MISSIONS: THEIR RISE AND DEVELOPMENT. By Mrs Creighton.
68. COMPARATIVE RELIGION. By Prof. J. Estlin Carpenter, D.Litt.
74. A HISTORY OF FREEDOM OF THOUGHT. By J. B. Bury, Litt.D., LL.D.
84. LITERATURE OF THE OLD TESTAMENT. By Prof. George Moore, D.D., LL.D.
90. THE CHURCH OF ENGLAND. By Canon E. W. Watson.
94. RELIGIOUS DEVELOPMENT BETWEEN THE OLD AND NEW TESTAMENTS. By Canon R. H. Charles, D.D., D.Litt.
102. HISTORY OF PHILOSOPHY. By Clement C. J. Webb.

SOCIAL SCIENCE

1. PARLIAMENT. Its History, Constitution, and Practice. By Sir Courtenay P. Ilbert, G.C.B., K.C.S.I.
5. THE STOCK EXCHANGE. By F. W. Hirst, Editor of *The Economist*.
6. IRISH NATIONALITY. By Mrs J. R. Green.
10. THE SOCIALIST MOVEMENT. By J. Ramsay MacDonald, M.P.
11. CONSERVATISM. By Lord Hugh Cecil, M.A., M.P.
16. THE SCIENCE OF WEALTH. By J. A. Hobson, M.A.
21. LIBERALISM. By L. T. Hobhouse, M.A.
24. THE EVOLUTION OF INDUSTRY. By D. H. Macgregor, M.A.
26. AGRICULTURE. By Prof. W. Somerville, F.L.S.
30. ELEMENTS OF ENGLISH LAW. By W. M. Geldart, M.A., B.C.L.
38. THE SCHOOL: AN INTRODUCTION TO THE STUDY OF EDUCATION. By J. J. Findlay, M.A., Ph.D.
59. ELEMENTS OF POLITICAL ECONOMY. By Sir S. J. Chapman, K.C.B.
69. THE NEWSPAPER. By G. Binney Dibblee, M.A. (Illustrated.) The best account extant of the organisation of the newspaper press, at home and abroad.
77. SHELLEY, GODWIN, AND THEIR CIRCLE. By H. N. Brailsford, M.A.
80. CO-PARTNERSHIP AND PROFIT-SHARING. By Aneurin Williams, M.A.
81. PROBLEMS OF VILLAGE LIFE. By E. N. Bennett, M.A.
83. COMMON-SENSE IN LAW. By Prof. P. Vinogradoff, D.C.L.
85. UNEMPLOYMENT. By Prof. A. C. Pigou, M.A.
96. POLITICAL THOUGHT IN ENGLAND: FROM BACON TO HALIFAX. By G. P. Gooch, M.A.
104. POLITICAL THOUGHT IN ENGLAND: FROM SPENCER TO THE PRESENT DAY. By Ernest Barker, M.A.
106. POLITICAL THOUGHT IN ENGLAND: THE UTILITARIANS FROM BENTHAM TO J. S. MILL. By W. L. Davidson, M.A., LL.D.

Many other volumes in preparation.

LONDON: WILLIAMS AND NORGATE, LTD.
And of all Bookshops and Bookstalls

HOME UNIVERSITY LIBRARY
OF MODERN KNOWLEDGE

HISTORY OF SCOTLAND

By ROBERT S. RAIT

London
WILLIAMS & NORGATE, LTD.

HENRY HOLT & Co., New York
Canada : RYERSON PRESS, Toronto
India : Burns, Oates & Washbourne, Ltd.

HOME UNIVERSITY LIBRARY

OF

MODERN KNOWLEDGE

Editors:

RT. HON. H. A. L. FISHER, M.P.

PROF. GILBERT MURRAY, D.LITT., LL.D., F.B.A.

PROF. J. ARTHUR THOMSON, M.A., LL.D.

PROF. WILLIAM T. BREWSTER, M.A. (Columbia University, U.S.A.)

NEW YORK
HENRY HOLT AND COMPANY

HISTORY OF SCOTLAND

BY

ROBERT S. RAIT

PROFESSOR OF SCOTTISH HISTORY AND LITERATURE IN THE UNIVERSITY OF GLASGOW; LATE FELLOW AND TUTOR OF NEW COLLEGE, OXFORD.

LONDON
WILLIAMS & NORGATE, LTD.

First Printed 1914/15
Reprinted October 1924

PRINTED IN GREAT BRITAIN

PREFATORY NOTE

In writing this little book, I have been anxious to avoid producing a mere summary of a story which has often been told at greater length. Instead of offering the reader a continuous narrative, I have, therefore, selected a number of subjects, covering a wide range of topics, which seem to me to illustrate the essential features of the History of Scotland. I venture to hope that the discussion of these topics may be useful in drawing attention to some fresh points of view and may also present an intelligible general survey of Scottish History. My plan has necessitated a certain amount of repetition, but I do not think that this defect will be found to be very serious.

Robert S. Rait.

The University, Glasgow,
August 1914.

CONTENTS

CHAP.		PAGE
I	THE NATION	9
II	THE CROWN	43
III	THE FAMILY AND THE CLAN	82
IV	THE CHURCH	115
V	AGRICULTURE AND COMMERCE	173
VI	THE PARLIAMENT	225
	CHRONOLOGICAL TABLE	244
	NOTE ON BOOKS	252
	INDEX	254

The following volumes of kindred interest have already been published in the Home University Library:—

12. The Opening Up of Africa. By Sir H. H. Johnston.

13. Mediæval Europe. By H. W. C. Davis.

23. History of Our Time, 1885-1913. By G. P. Gooch.

33. The History of England. By Prof. A. F. Pollard.

34. Canada. By A. G. Bradley.

37. Peoples and Problems of India By Sir T. W. Holderness.

71. Germany of To-day. By Charles Tower.

92. Central and South America. By Prof. W. R. Shepherd.

98. Wars between England and America. By Prof. T. C. Smith.

HISTORY OF SCOTLAND

CHAPTER I

THE NATION

THE essential fact in the history of Scotland in the Middle Ages is the War of Independence; but the significance of the War of Independence is frequently misconceived. Edward I did not hammer Scotland into nationality; it was a nation already conscious of national existence that resisted him. The two centuries which preceded the great struggle with England saw the amalgamation of the peoples of Scotland into a political organism; not, indeed, into a fully organized and unified community with one law and one custom, but into an association of communities possessing a distinctive common life and capable of enduring all things rather than the "foul thraldom" of subjection to an alien power.

By no easy or peaceful methods was this result attained, and, when we consider the country's previous history, the marvel is

that it was attained at all. The Romans, after successive invasions of the wild country north of Tyne and Solway, and after two vigorous efforts to hold the line of Forth and Clyde, had in the end of the second century A.D. to be content with maintaining the peace of Rome in the southern part of the island, and, except for a few punitive expeditions, they left the tribes of Caledonia to their own devices. The departure of the Roman eagles from Britain in the beginning of the fifth century, is, therefore, no event in the history of the country which was afterwards to be known as Scotland, but the Anglo-Saxon settlements in England, in the latter half of the same century, had a profound and far-reaching influence upon the history of the north. Their first effect was to increase what we should now call the Celtic population of Scotland by the arrival of numbers of British refugees driven from southern homes. Since the eighteenth century it has been usual to employ the word "Celtic" to describe both the Welsh-speaking and the Gaelic-speaking population of this island, and, although the term is not an entirely fortunate one, it is convenient, and it would be pedantic to reject it. But the distinction between the Britons or Welsh-speaking Celts and the Goidelic or Gaelic-speaking Celts is of funda-

mental importance in early Scottish history. The "Caledonians" of the Roman writers were Goidels and Picts; the latter a mysterious race whose origin no man knows, but who, by the dawn of historical times, spoke the language of the Goidels and, in spite of such evidence as we can derive from early writers, have in recent years been generally regarded as Goidels. The country colonized by the British or Welsh-speaking Celts was what we may describe as the South-West Midlands, and the new-comers were separated from their kindred in Cumbria only by the Solway Firth. They did not occupy the extreme south-western corner, which remained in the possession of the Picts of Galloway, nor did they spread into the district on the east coast, either north or south of the Tweed. The land between the Firth of Forth and the river Tweed was in the sixth century conquered and colonized by the Angles, and became part of the English kingdom of Northumbria.

The sixth century witnessed a third settlement in Caledonia. Before the Angles occupied the Lothians, a Goidelic tribe migrated from Ireland and created in the west the kingdom of Dalriada or Scot-land. We have thus five kingdoms and peoples—the Scots, the northern Picts, the Angles, the British,

and the Picts of Galloway. In the end of the sixth century it might have seemed probable that the British would unite with their kindred south of the Solway, that the Angles would continue permanently a portion of England, and that the Picts and Scots north of the Clyde and the Forth would combine to form a kingdom of North Britain or Scotland. In the seventh century, when Northumbria was the prominent power in England, there was another possibility—that the Angles of Lothians and Northumbria might be able to extend their dominion over Briton, Pict, and Scot, and King Egfrith of Northumbria made one great effort to achieve this result. But in the year 685, he was defeated at the battle of Nectansmere (probably Dunnichen in Forfarshire), and the decline of the Northumbrian power in the end of the seventh century made it certain that the Angles were not to be the rulers of the north.

Pict and Scot did not at once unite. In the first half of the eighth century Angus Mac Fergus, King of the Picts, established some kind of overlordship over the Scots of Dalriada and the Britons of Strathclyde, and gave us one of the few remembered names in a long tract of years. But it was not until the middle of the ninth century that Scot-land and Pict-land became, at all events in name,

a united kingdom, under the rule of Kenneth Mac Alpin, King of the Scots of Dalriada, who succeeded to the greater throne of the Picts, as, seven and a half centuries later, one of his descendants, a king of Scots, succeeded to the throne of England. Lothian and Strathclyde remained separate and independent until the eleventh century. In 1018, Malcolm II of Scotland defeated the Northumbrians at Carham and annexed the English district of Lothian, and in 1035 he was succeeded by his grandson, the Duncan of Shakespeare's *Macbeth*, who was already king of Strathclyde. This theoretical union was little more than what we are accustomed to speak of in English history as the "supremacy of Northumbria" or the "supremacy of Wessex." Different customs and laws prevailed among Scots, Britons, and Angles; the rule of the monarch was a rule which involved small obedience, even among the peoples who called him lord; and there was by this time another people, who knew not Duncan and his successors, kings of Scotland. Invasions of Danes and Northmen had begun about the year 800, and they now possessed the Hebrides and large tracts in the west and in the extreme north.

In the year 1057, Malcolm III, known as Malcolm Canmore, or Malcolm of the Big

Head, defeated and slew Macbeth and succeeded to the throne of his father, King Duncan. Two hundred and forty years later, William Wallace defeated the English at the battle of Stirling Bridge, and proved the existence of Scottish nationality. The work of the dynasty of Malcolm Canmore was to create the Scottish nation out of a loose confederacy of Scot, Briton, and Angle, united neither by blood nor by speech, separated by varying laws and customs, menaced by the power of England, and harassed by the attacks of the Norsemen. The method adopted by Malcolm and his descendants may be expressed in a single sentence. Celtic kings compelled the greater portion of Celtic Scotland to adopt English law and custom and, to a lesser extent, English speech. Thus the Northern Lowlands—Scotland from the Moray Firth to the Forth—came, in spite of difference of race, to have a real affinity to the Lothians; Strathclyde and Galloway were gradually subjected to the same influences; and the half-Scandinavian, half-Celtic, chiefs of the west and the north, whose nearest neighbours were the least anglicized of the Scots, were made to feel themselves part of the kingdom of Scotland.

Malcolm Canmore and his wife, Margaret,

a princess of the ancient Saxon line, introduced into Scotland an English Court. Malcolm, himself perhaps half-English by birth, had lived under the protection of Edward the Confessor while Macbeth ruled in Scotland, and the customs which were loved by his English wife were familiar to him. The anglicization of the Church, which was commenced by Queen Margaret, and the constant increase of English trade assisted the personal influence of the Queen and the example set by the Court. When Malcolm was killed in an invasion of England in 1093, there was a Celtic re-action, the champion of which was Malcolm's brother, Donald Bane. He was deposed, with the help of the Normans, by Duncan, a son of Malcolm by a former marriage, but Duncan was allowed to reign only on condition of bringing no English and no Normans into Scotland. After a brief interval, Donald Bane again possessed himself of the Crown, and was finally deposed, again with English aid, by Edgar, son of Malcolm and Margaret. The new King, wholly devoted to the traditions he had learned from his mother, made his home at Edinburgh and continued the policy of his father's reign. His brother and successor, Alexander I, spent much of his time in Perthshire, but his policy was to anglicize the north. The reign of a

third brother, David I (1124–53), is the great period of the organization of Scotland. Before his accession, David had been much at the Court of Henry I, the husband of his sister, Maud, and he had married an English lady, the widow of a Norman baron. From his reign date the great Anglo-Norman families, and under his rule, Scotland, from the Moray Firth to the Tweed, came to be administered on the principles and by the methods of the Anglo-Norman kingdom of England.

These changes were not brought about without resistance and bloodshed. The Celts, after the deposition of Donald Bane, never again succeeded in bringing about a revolution, but Celtic rebellions, sometimes, though not always, under pretenders to the throne, troubled one after another of the successors of Malcolm Canmore. Alexander I gained the name of the Fierce from the severity with which he repressed rebellions in Morayshire and the Mearns; the men of Moray rose again in opposition to the Norman rule of David I, and it was only after a five years' struggle that David, with the help of Norman barons from the north of England, was able to subdue them. David's grandson, Malcolm IV, had to meet another formidable rising in Morayshire and a rebellion of the Celts of Galloway, whom it required three military expeditions

to quell. When Malcolm's brother, William the Lion (1165–1214), returned ignominiously to Scotland after his capture by the English and his surrender of Scottish independence by the Treaty of Falaise, his reign was occupied for many years by revolts in Galloway and in the north. It was not until the beginning of the thirteenth century that the force of Celtic resistance was spent, and even in the reign of Alexander II (1214–49) there was disaffection in Moray and in Galloway.

The thirteenth century was the period of consolidation, when Scotland, at last reconciled to the Anglo-Norman rule of its native kings, entered upon a period of great commercial prosperity, secured by a just and competent administration. It was also in the thirteenth century that the boundaries of the kingdom became definitely fixed. The ancient claims of the Scottish kings upon Cumbria, and an unfortunate pretension to the possession of Northumbria, which had been created by the marriage of David I, were definitely abandoned by Alexander II in 1236, and the Scots recognized that the kingdom of Scotland was to be bounded by the Solway and the Tweed, as, in point of fact, it had been bounded since the accession of Henry II of England. It was in the thirteenth century, too, that the Northmen finally ceased to be a

disruptive element. In the south-west they had done something to modify the racial distribution in Scotland, but they had made no independent settlements. But in the west and the north, they established a dominion which looked to Norway and not to Scotland for its centre. King Edgar had given up to them the Southern Hebrides, and in his reign there was a Norse kingdom from the Orkneys to the Isle of Man, including portions of the mainland. The Norsemen had frequently given assistance to the Celts in their rebellions; in the reign of Malcolm IV, Somerled of Argyle had been defeated near Renfrew, and William the Lion had, after three campaigns, established the royal authority in Caithness. Alexander II asserted his claim to the Hebrides but died at the outset of an expedition to enforce it, and his son, Alexander III, in 1263, did battle at Largs with Haco of Norway for the possession of the western islands. It was a great Scottish victory and, in 1266, Haco's successor, Eric, ceded the islands, with the exception of Orkney and Shetland, which passed to the Scottish Crown by a marriage treaty in the fifteenth century.

The reign of Alexander III is the period about which we possess most information, and the character of the achievement of the

dynasty of Malcolm Canmore can best be understood from a sketch of the organization and the condition of Scotland under the last sovereign of its ancient Celtic line. The constitution was based on the Anglo-Norman system with which so many Scottish kings were familiar in England. The old Celtic titles had died out. The Maormaers, the royal officers who presided over great districts of Celtic Scotland, had become Comites or Earls; the subordinate office of maor had become known by other names, the most common of which is the Norman bailliary; the toschach or steward of royal lands had adopted the English title of thane, without becoming a thane in the English sense. The disappearance of the older nomenclature was complete; the Maormaor is familiar in Irish history but is known in Scotland only by some memoranda written on a MS. of the Gospels which probably belonged to a Celtic religious house at Deer in Aberdeenshire; the Toschach is found only in family names; the Maor appears occasionally in Highland charters. The fourteenth-century Scottish writers knew nothing of the constitution of Scotland in the time of Malcolm Canmore; official Scotland had been Anglo-Norman long before the death of Alexander III and the outbreak of the great war. The administra-

tion was unified; its great officers and its minor officials alike were known by English names alone.

The sovereign of Scotland in the thirteenth century had among his great officers a Chancellor, who kept his Great Seal, a Chamberlain, who was his chief financial administrator, a Steward of the Household, a Constable, and a Marshal, all of whom derived their powers from an imitation of English custom. More important still, for our purpose, were the Justices and the Sheriffs, for upon them depended the reality and efficiency of the royal power. For the administration of justice, the country was divided in accordance with its racial admixture. There was a Justiciar of Lothian, a Justiciar of Galloway, and a Justiciar of Scotland, the country north of the Forth, where the Scottish tongue (which in the Middle Ages always means Gaelic) was spoken. The people of Galloway still claimed to be judged by some provincial laws; but Scots law, which at this period, approximated closely to the laws of England, was accepted from the Moray Firth to the Forth as well as in Lothian.

The history of the law of Scotland before the War of Independence is a much controverted question, but there can be no doubt that it was derived from England, and it is important

to realize how English it was. The threefold application of the system of "recognition by jury" to civil law, to criminal law, and to financial expedients, which was the greatest triumph of the reign of Henry II, had been almost immediately accepted by the Scots, and thirteenth-century Scotland possessed in the civil jury an institution which had to be re-introduced into nineteenth-century Scotland. From some records of cases which have been preserved, we can see that the English system of "recognition," or the jury, was the regular process by which suits were determined, and it may be of interest to give one or two actual instances of the administration of the law in the time of the Alexanders. We possess, for example, an undated report of an inquiry into a case of murder, held in the Castle of Dumfries before the King's bailies. A certain Adam, a miller, had been slain by Richard, son of Robert, and a jury of burgesses and barons or land-owners, the names of thirteen of whom are given, were put upon their oath to give a true statement. They report the facts in this way. Richard and Adam the miller met at St. Michael's Church on the Sunday after the feast of St. Michael, and in the churchyard Adam called Richard a thief and threatened to drive him out of the town. On the Thursday

following, as Richard walked down a street, Adam stood in a doorway and a woman told him to withdraw because Richard was coming. He declined to go, saying, "I have a knife as sharp as his." Then, going into a house, he brought out a knife to eviscerate Richard, who, in his own defence, drew his sword and struck Adam with the blade. Adam tried to seize the sword, and Richard struck him a fatal blow, saying afterwards, "I have not killed you. You have killed yourself." The barons on the jury were in agreement with the burgesses, and they reported that Richard was a true man and Adam a notorious thief. The jury did not give a verdict; they stated on oath the facts on which the judges gave their decision. The result of this case has not been preserved, but it may be assumed that Richard was acquitted, and the stress laid upon the jury's evidence as to character is another indication of English influence. The oath of a sworn jury was employed to determine civil as well as criminal cases, and we find, for example, in 1261 a jury assembled at Elgin to deal with the claim of a certain Robert Spink, a crossbowman, to rights over the King's garden attached to the castle of Elgin. The jury consisted of twelve members, among whom were two thanes, the provost, and five burgesses of the town. Spink claimed

in right of his wife, and the jury reported that her ancestors held hereditarily the garden and the land that went with it, on condition of supplying the King with cabbages and garlic when he was in residence. We have chosen these two instances out of a small number of cases which have been preserved (and are printed in the first volume of the Acts of the Parliaments of Scotland), because they belong to districts which were frequently in rebellion in the twelfth century, but in which the royal law ran in the thirteenth. Another example comes from Inverness. Some of the cases show the use of the English writ known as Mort d'Ancestor, by which a man's succession to his father's possessions was placed beyond dispute; one of these relates to Blantyre and the jury was almost entirely composed of Highlanders; men with such names as MacEdolf, MacMalcolm, MacHoutre, and MacKersan were summoned by the King of Scots to perform the duties imposed by the first great Plantagenet upon his English subjects. The jury was also employed, as in England, to check the statements of royal officials; thus, about the year 1265, the sheriff of Roxburgh reported that some barley kept too long in the King's castle had become worthless, and his assertion was accepted only after an investigation by good

men of the town. Sometimes we can trace the adoption of an English institution and assign it to an exact date. In 1175, William the Lion, on his return from exile, introduced into Scotland a more severe form of a law for the capture and punishment of criminals which Henry II had made in 1166. If three of the elders of a town swore that an accused person was of notoriously bad character (like the murdered Adam in the case we have quoted above), he was not to be sent to trial, but to be hanged forthwith.

It was this English law that the Justiciars administered. Twice a year they made their judicial progresses. They were often accompanied by the King, and a portion of the royal revenue consisted of the right to free entertainment in various parts of the country. In some fragments of the national accounts of the thirteenth century, which have survived the general destruction of early Scottish records, we find items of revenue derived from fines inflicted by the Justiciars in their courts. The accounts for the county of Inverness, which included the whole of the north-west of Scotland, are specially interesting as showing how far the royal power was efficient in the Highlands. In 1263, we learn that the Justiciar received one pound from fines in Caithness, five pounds from fines in

Ross and seven pounds from fines in Moray, and these sums may be exclusive of the expenses of his progress. The Earls of Caithness and Sutherland made payments of £33 6*s.* 8*d.* and £20, respectively, which are described as part of their fines; and in 1266 the King gave orders to compel the Earl of Ross to pay £45 and 180 cows as a fine. These penalties may have been connected with the doubtful loyalty of the northern chiefs during the struggle with Norway, so that we must not lay too much stress upon the unification of the country; but it is important to know that a strong king could send his judges to do their work in Ross as well as in Forfarshire, in Lothian, or in Galloway.

Even more important for the maintenance of the royal power was the task of the sheriffs. Scotland, like England, was divided into sheriffdoms, and, though the sheriffs afterwards became hereditary officials whose independence caused some embarrassment to the Government, they were, in the thirteenth century, appointed by the King and represented his interests. They collected the revenues, paid chiefly in kind, from the large estates which belonged to the Crown in various parts of Scotland; they saw that the thanes, who were usually stewards or tenants of royal lands, made the proper payments to the

Exchequer; they managed lands in the temporary wardship of the Crown, while the owner was a minor; they claimed royal lands which had been fraudulently seized and brought such claims before the Justiciar; they collected goods which fell to the Crown on the death of their owners; they obtained payment of the "reliefs" paid to the King on the succession of a royal tenant and sums payable on the marriage of an heir, an heiress, or a widow; and they held courts of their own and exacted fines for offences which did not come before the judges. It was also the duty of the sheriffs to pay their proper allowances to the royal officers in charge of the King's castles or residences throughout the land. These numerous royal houses, with their garrisons, were an important element in the establishment of the royal power, and the list of royal castles surrendered to Edward I in 1292 shows how substantial a hold the kings of Scotland had upon the country, not only in Lothian and the north-east, but also in such outlying districts as Kirkcudbright, Wigtown, and Ayr, and, in the north-west, Cromarty, Dingwall, Inverness, and Nairn.

It used sometimes to be argued that this well-organized and efficiently administered Scotland of the Alexanders was held together by a Parliament which afforded a model to

Simon de Montfort and Edward I in England. There is, however, no evidence of this, and, the Great Council of the kings of Scotland was like the Great Council of Henry II, an assembly of tenants-in-chief of the Crown. There was, as yet, no possibility of even the suggestion of popular government; the one hope for the nation lay in the strength of the king. That, in the thirteenth century, the Crown was strong is evident from the fact that these Anglo-Norman institutions had been successfully imposed upon a people chiefly Celtic in blood, and a great part of the credit belongs to the competent line of kings who were descended from Malcolm Canmore. Of the help given to these sovereigns by the baronage, by the Church, and by the growth of commerce, we shall speak in later chapters; meanwhile, it is necessary to remember that their task was rendered practicable, to a large extent, by a rarely broken peace with England. From the Treaty of Falaise in 1174 to the death of Alexander III, there was no serious warfare with England, and, from the Moray Firth to the Tweed, the country enjoyed the blessings of peace. The borders were, as yet, a prosperous land, and a thirteenth-century Bishop of Glasgow used to live undisturbed in a country house at Ancrum.

The adoption of English law was, by a

strange historical paradox, the chief means by which Angle, Briton, Scot, and even Scandinavian were welded together into the Kingdom of Scotland. In Galloway, and in the country north of the Forth, Gaelic was still the tongue spoken by a majority of the population, though in the coast districts and especially in the towns, English was the language of the burgesses, many of whom were English or Flemish. The *lingua Scotica*, the Gaelic speech, kept alive the distinction between English and Scots, and the writings of the fifteenth- and sixteenth-century Scottish historians show that, even when the Gaelic tongue had receded from wide districts where it was spoken in the time of the Alexanders, the English-speaking Scots had not lost the consciousness of their racial identity. While English law, and an administration based on English models, drew Scotsmen together in the thirteenth century, Scottish blood prevented the Scots from ever regarding themselves as a northern part of England. This is the great fact which explains the coming War of Independence. Scotland, in spite of English law and English custom, and even, to some extent, English speech, was still Scottish; sufficiently English to form one nation with the men of Lothian, but sufficiently Scottish to remain Scotland.

Two features of the international history of the period help to explain the existence of this national feeling. The constant menace of the Scandinavian power gave an impetus and a definite aim to Scottish nationality, and the generation which was to resist Edward I had witnessed the battle of Largs and the cession of the Hebrides. If any warfare made Scotland a nation, it was the struggle with Norway, and the victorious issue of that struggle in 1263 might be taken, from this point of view, as the completion and the seal of the consolidation of Scotland. In the second place, the pretensions of the sovereigns of England to the overlordship of Scotland acted as a constant reminder of the essential difference between the two countries. It was fortunate for Scottish nationality that this English claim existed to afford the basis of that common resentment which invariably tends to draw men together; it was still more fortunate that for fifteen years, and for fifteen years only, Scotland had the bitter experience of what such a claim actually meant. The contemporary Chronicle of Melrose, written in the Lothians, tells with joy, how, on the accession of Richard I of England, William the Lion, " by God's assistance, with dignity and honour to himself, removed from the kingdom of the Scots the grievous yoke

of that state of superiority and slavery to which it had been subjected." More convincing than any historian's pæan is the fact that William was able to raise the large sum required for the liberation of the kingdom. With a great price, the Scots bought their freedom, and the knowledge that it had been lost and regained played a part in the history of the succeeding century. The agreement between Richard and William left the question of the English overlordship exactly where it was before the Lion was captured by Henry II, and Richard's successors, from time to time, put forward the ancient English claim, based on the partial evidence of the Anglo-Saxon Chronicle. Though the overlordship controversy did not lead to warfare until the end of the thirteenth century, and though Henry III of England, exercising great personal influence in Scotland during the minority of his nephew, Alexander III, chose to describe himself not as overlord, but as adviser to the Scottish King, yet there was sufficient discussion of this vexed topic to secure that the Scots should not forget a peril to their national existence.

The consciousness of separate nationality is evident in the early negotiations with Edward I. The sudden death of Alexander III, in 1286, left, as the heiress to the Scottish

throne, a child who was also a foreigner. The undoubted claim of the little Queen Margaret, granddaughter of Alexander, and daughter of Eric of Norway, was disputed by Robert Bruce, one of the greatest of the Anglo-Norman nobility of Scotland. Bruce, though closely related to the royal family, had no claim as against the Maid of Norway, but might could well be made right, and within a few months of the king's death, Bruce stirred up a civil war, which raged so fiercely in the south of Scotland that in 1288 the Sheriffs of Dumfries and Wigtown reported that lands had lain waste for two years because of his ravages. It was a rich and a prosperous Scotland which was thus brought face to face with the perils of a disputed succession and a civil war, and the proposal of Edward I to marry his son to the little Queen was welcomed with an enthusiasm which seems strange to the reader who is familiar with later history, but which is explained by the fact that England and Scotland had been at peace for a century. But while Edward's proposition was cordially accepted, its details were carefully scrutinized. He did not claim the right of an overlord to the guardianship of his vassal's kingdom, and the Scots, who would have repudiated this claim, had it been made, stipulated, in the

Treaty of Birgham in 1290, that Scotland should remain a separate and independent kingdom, with its own Parliament and its own law. Even under the contemplated union of the crowns, Scotsmen were to be tried in Scotland, by the laws of Scotland, they were not to be called upon to do homage in England, nor was any Parliament sitting in England to deal with Scottish affairs. Should the little Queen die childless, the natural heirs to the throne of Scotland were to succeed "wholly, freely, absolutely, and without any subjection." The passage which we quoted from the Chronicle of Melrose shows that in 1189 Lothian monks were proud to describe themselves as Scotsmen, and a hundred years later, on Lothian soil, this treaty provided for an Anglo-Scottish alliance by which the Lothians were to remain part of a Scottish kingdom which was never to be incorporated with England. When Edward's representative in Scotland demanded, after the signature of the treaty, the surrender of Scottish castles and strongholds, the suggestion was at once repudiated. The English monarch, even in these friendly negotiations, received fair warning that the Scots knew themselves to be a nation.

One year after the Treaty of Birgham, the magnates of Scotland, assembled on Scottish

soil at Norham, solemnly admitted the claim of Edward I to be Lord Paramount of Scotland. On the opposite side of the Tweed an English army was encamped, and its presence had probably some influence upon this unconditional surrender. But the real explanation lies in the fact that the magnates were of all Scotsmen the least Scottish. The Anglo-Normans upon whom, as we shall see in a later chapter, David I had conferred lands which their descendants still held, had never amalgamated with the Scottish people. Some of them, like the Bruces, had possessions both in Scotland and in England; the Balliols held lands in Scotland, in England, and in France. The death of the child-queen had divided them into parties which supported one or other of the claimants to the throne, and the claimants themselves, of whom Robert Bruce and John Balliol had the strongest pretensions, were well aware that if they opposed the King of England, a rival would receive the overwhelming advantage to be derived from the support of an English army. All the claimants, and the partisans of each, agreed that to Edward as overlord belonged the right of deciding who should be the monarch of a vassal Scotland. There was, indeed, at Norham one protesting voice, inarticulate then, but soon to make itself heard. The smaller

barons, "the community of the kingdom," raised an objection of some sort. Edward disregarded it, and no writer of history has told us what it was. John Balliol, liegeman of the King of England, became King of Scots in 1292. Four years later, he rebelled—perhaps was goaded into rebellion—and he defied Edward and made the first Franco-Scottish alliance.

Within a few months, Edward subdued the whole of Scotland; the warfare was inglorious to the Scots, and the glory of the conqueror was stained by merciless and revolting cruelty, but its significance is to be found neither in the rapidity of the English triumph nor in the horrors of the sack of Berwick. That city, at the mouth of the river Tweed, was at the height of its commercial prosperity. In the middle of the thirteenth century, the English chronicler of Lanercost had spoken of it as "a city so populous and of such trade that it might justly be called another Alexandria," and Alexander III had assigned its customs as security for a debt of £2,000; the whole customs of England at this date did not exceed £8,500. When John Balliol raised the standard of Scottish independence, this great and rich city, whose position must render it the first victim of Edward's wrath, did not hesitate to defy the power of England.

Equally significant are the first steps taken by the conqueror. Edward was conscious of the existence of the nationality which he had determined to destroy; hence the seizure of the records the loss of which the Scottish historian deplores to-day, and hence the removal of the Coronation Stone from Scone to Westminster.

After a year of military occupation, the English power in Scotland was temporarily destroyed by the battle of Stirling Bridge (September 1297). The ineffective protest of the Scottish people at Norham found expression in the war cry of Wallace's army. It is essential to realize two things about the rising of the Scots under Wallace—its rapid progress and the social position of its leader. It was no mere revolt against a military occupation and the tyranny of foreign garrisons. The oppression of the English soldiers doubtless aided its progress, but rebellions of this kind are not organized within a few months. The strength of the national feeling which Edward had aroused is shown by the fact that a simple country gentleman was able to assemble a force powerful enough to defeat the English governors. The Scots had been deserted by their national leaders, the barons, and the opposition they offered was recognized by contemporary Englishmen to be a national

opposition. The English chronicler of Lanercost remarks that the Scots who espoused the English cause "were merely feigning, either because it was the stronger party, or in order to save the lands they possessed in England, for their hearts were always with their own people, although their persons might not be so," and other contemporary English authorities lay stress upon the popular character of the rising. The triumph of Wallace was short-lived; in July 1298, he was completely defeated by Edward in person, and, though for nearly seven years he avoided capture, he was never again at the head of an army in the field. But the defeat at Falkirk did not end the war. The struggle continued for five years, in the course of which the Scots captured the stronghold of Stirling and won a victory at Roslin. It was not until the winter of 1303–04 that Edward succeeded in reducing Scotland to the state of subjection in which she had been for a few months after the deposition of John Balliol in 1296, and the English conquest of Scotland is confined to the years 1304–06, when Edward I was devising a statesmanlike scheme for its future administration.

The successful revolt of the Scots under Robert Bruce is not less indicative of the existence of a strong national feeling than the

rising under Wallace. The grandson of the claimant who had commenced a civil war at the death of Alexander III, Bruce belonged to an Anglo-Norman family which had long been associated with an English party in Scotland, and he himself was a personal friend and supporter of the English King. His record in the last few years was stained by defection from the national cause, and in 1302 Edward had made him sheriff of Lanarkshire. The circumstances in which he came to be the leader of Scottish Independence would have been fatal to his chance of success, if the Scots had been a less united people. In February 1306, he murdered, in a Dumfries church, his rival claimant to the throne, the Red Comyn, the victor of Roslin. Comyn was the representative of the Balliol interest, and himself a member of a powerful Scottish family, connected with many great names. The blood-feud thus aroused had an indirect influence upon Scottish history for centuries to come; meanwhile it created an English party in Scotland, composed not of trimmers who thought Edward's cause the safer, or who hoped to preserve their rights in England and Scotland alike, but of men whose hatred of Robert Bruce was the basis of their whole political attitude. To these men Edward could look for a whole-hearted support such

as he had never yet received from Scotland. Further, Bruce had to face not only a blood-feud but an excommunication, and the Papal ban might have a decisive effect upon his fortunes. The clergy had been the preachers of freedom, and Wallace had owed not a little to the Church. Could the Scottish clergy espouse the cause of a man cursed with the great and terrible cursing? After a hurried coronation ceremony at Scone, Bruce's small army was defeated at Methven in Perthshire, and for a year he was a helpless fugitive. Yet, in the spring of 1307, the Scottish people rallied round this defeated leader, with the stain of a sacrilegious murder upon him, and burdened by the past record of his family. The Church gave its support to an excommunicated man, and acknowledged him as a lawful sovereign long before the Papal curse was removed. Bruce himself rose to the height of a great occasion and became the worthy leader of a national cause. He was fortunate in finding a nation ready to look to the future and not to the past, and his people were happy in having chosen to follow a man who was to prove himself great and wise.

There remained the menace of the Comyns, and the power of England had still to be faced, but the death of Edward I in July 1307 destroyed both. When Edward II led home

his father's great army, the English party in Scotland were left leaderless and dispirited to brood over their wrongs and to wage a hopeless conflict with a nation in arms. Fortune smiled on the King and the national army. Bruce attacked his Scottish foes in detail, and after defeating them, he and his comrades—the Black Douglas and Randolph of Moray—set themselves to the task of recovering from the English the strongholds of the country. When, at last, only Stirling was left to the enemy, an unwise agreement was made by the King's brother, Edward Bruce, by which means the issues of the war were left to the arbitrament of a pitched battle. But the King succeeded in bringing together a great Scottish army which might hope to match the might of England, and on the field of Bannockburn his military skill drove off an English force in the greatest rout that an English army has ever known (June 24, 1314).

The task of the English in Scotland was rendered difficult by the geography of the country, and impossible by the national feeling of its people. The experience of the years which followed the English victory at Falkirk goes to show that, even if Edward had lived, he must have failed to reduce the Scots to permanent subjection. A great king and a united people saved Scotland from the fate

of Ireland. The long war intensified the passionate devotion to national independence by which that independence had been preserved, but it left an open wound in the nation. The hatreds engendered by the death of the Red Comyn lived on to burden the successors of the Bruce, and incidentally to weaken the power of the Crown, a power which alone could give the prosperity of internal peace.

The marriage of Malcolm Canmore, the battle of Bannockburn, and the Reformation are the three great dividing lines in the history of Scotland. The War of Independence undid some of the work accomplished by the descendants of St. Margaret; the Reformation was, in turn, to undo some of the effects of the battle of Bannockburn. Yet it was the battle of Bannockburn which left Scotland, in the great religious upheaval of the sixteenth century, free to work out its own ecclesiastical destiny. It has sometimes been discussed whether Bannockburn was a blessing or a misfortune for Scotland. The question was answered long ago by the poet who wrote the epic of Bruce's wars—

> " Ah ! fredome is a nobill thing !
> Fredome mayss [1] man to haiff liking !

[1] makes.

Fredome all solace to man giffis :
He levys at ess [1] that freely levys !
A noble hart may haiff nane ess,
Na ellys [2] nocht that may him pless
Gyff [3] fredome failyhe ; for fre liking
Is yharnyt our [4] all othir thing
Na he, that ay has levyt fre,
May nocht knew weill the propyrte,[5]
The angyr, na the wrechyt dome
That is cowplyt to faule thyrldome.[6]
Bot gyff he had assayit it,
Then all perquer [7] he suld it wyt ;
And suld think fredome mar to pryss [8]
Than all the gold in warld that is."

It is perhaps characteristic that a great English historian, referring to this noble passage, imagines that the poet means by freedom "not being in prison"; for English historians have not always shown that sympathy for the national feeling of mediæval Scotland which they have expressed for Switzerland or for the Netherlands or for Greece. Scotland in thraldom to England would have little compensation in material prosperity, "all the gold in warld that is"; such was the feeling of mediæval Scotsmen.

[1] ease.
[2] else.
[3] if.
[4] yearned for over.
[5] peculiar condition.
[6] thraldom.
[7] *par coeur*, i. e. thoroughly.
[8] more to prize.

Nor is it certain that even in material prosperity, Scotland would have gained very much from such an association with the England of the Hundred Years' War, the Peasant Revolt, and the civil strife of Lancaster and York; and the century after the Union of the Crowns in 1603 was in point of fact not more prosperous than the century which preceded it. Yet it is impossible to think without regret of Edward's earliest proposal for a free and harmonious union between two nations which had enjoyed a long period of peace and the institutions of which were so closely alike. The accomplishment of that hopeful scheme was prevented by the death of a child, but the traditions of friendship remained until they were destroyed by the impatient ambition of the English sovereign. Thenceforth, for three centuries, England and Scotland were almost continually at war. The price of Scottish independence was not paid when the regents for the young Edward III agreed, in 1328, to the Treaty of Northampton; by foreign war, by internal tumult, and by the torture of the Border country, the Scots had still to pay for the "nobill thing" which gives its grandeur to their history.

CHAPTER II

THE CROWN

THE great national misfortune of Scotland was the weakness of the Crown after the reign of Robert Bruce. His immediate successor was a child who grew up to be a worthless man; then followed two old kings, too feeble for their task; after them, a sovereign, who on his return from twenty years of exile gave the country a little over a decade of firm rule; then two long minorities, separated by an eleven years' struggle between a King and a great House, and followed by the reign of a weak monarch. At last, nearly a quarter of a century of the able and vigorous government of James IV made Scotland strong and prosperous, but James fell at Flodden in his forty-first year, and his son, after a long and troubled minority, died at the age of thirty, leaving as his heir a baby girl a few days old. Thus, between the death of Robert I, in 1329, and the return of Mary Stuart from France in 1561, there were six royal minorities, and the total of the years when the Crown was

strong amounts to scarcely more than a fifth of the period.

The murder of Comyn left its traces upon the work of Robert Bruce. The bitterness of a blood-feud prevented the Scottish barons who had fought against him from entering his peace, and, after his death, the grievances of the "Disinherited" who had lost their Scottish lands for the sake of England acted as a spur to the ambition of a young and warlike English monarch. The War of Independence was renewed, and it was only after a much less glorious struggle that Scotland maintained her national existence. The attack made by Edward III upon Scottish independence lost its possibility of success when his energies were divided by the attempt to secure a greater prize across the Channel, but it affected the history of Scotland until the Reformation. At a moment of Scottish weakness, the English King was able, temporarily, to place John Balliol's son, Edward, on his father's vassal-throne, and Balliol divided with his overlord the kingdom of Scotland. In 1333, the counties of Linlithgow, Edinburgh, Haddington, Peebles, Selkirk, Berwick, Roxburgh, and Dumfries were ceded by Edward Balliol to Edward III. The regents for the young David II soon recovered this large tract of country, but there could be

no permanent peace, and the English, after the battle of Neville's Cross in 1346, were again in possession of Scottish soil and of Scottish strongholds from which it took over a hundred years entirely to expel them. Anglo-Scottish warfare was inevitable while the " auld enemy " had a footing in the land. This incessant border warfare, sometimes waged on a national scale, was fatal to the prosperity of the Lothians and the borders, and in its course one of the great burghs of the thirteenth century — Roxburgh — disappeared so completely that not a vestige of it now remains; but the effects were not confined to one part of Scotland. Enmity with England meant alliance with France, and even after Scotland had regained every acre of Scottish soil (with the almost constant exception of the town of Berwick-upon-Tweed), the tradition of hostility to England continued to be vigorous and to decide the policy of Scotland. It was war with England that brought about the long absence of James I from his own kingdom; his son James II was accidentally killed in the course of the last siege of the castle of Roxburgh; James IV fell at Flodden, and the death of James V was connected with the disaster at the Solway. Four of the six long periods when Scotland suffered the woes of the land whose king is a

child were directly attributable to Anglo-Scottish hostility, the evil legacy of the policy of Edward I and of the murder of the Red Comyn.

The conflict between the great Houses and the Crown, which occupies so large a place in histories of Mediæval Scotland, is connected with English wars not only by the accidents which rendered the Crown helpless during long minorities, but by the intrigues which, from the War of Independence to the Union of the Crowns, gave discontented Lowland barons and Highland chiefs the assurance of English assistance in their struggles with successive monarchs of Scotland. Two of these conflicts—the attempts of the Lords of the Isles and of the House of Douglas to achieve something like independence—are of special importance and will serve to illustrate this aspect of Scottish History. Highlanders and Islesmen had fought for David I at the battle of the Standard, and for Bruce at Bannockburn; at the time of Edward III's invasion, when Scotland was leaderless and almost hopeless, the Lord of the Isles had adopted the cause of Edward Balliol; but Islesmen marched (too late) to help David II when he fought for France at Neville's Cross in 1346. In the end of David's miserable reign, when the payment of his English

ransom was a sore burden upon an impoverished country, they again threatened rebellion, and in 1408 Donald, Lord of the Isles, had a serious quarrel with the Regent Albany, who represented the monarchy during the English captivity of James I. Donald was no mere avenger of Celtic wrongs. He was himself a grandson of Robert II and a cousin of Albany; he was the son of one Lowland woman and the husband of another; and, in the right of his wife, he claimed the earldom of Ross, which the Regent refused to grant him. To obtain what he regarded as his wife's lawful inheritance he entered into a compact with Henry IV of England and led an army to the Scottish mainland. He was opposed by the Celts of the north; the Mackays of Caithness met him near Dingwall and were defeated, and he had a successful skirmish with the Frasers. The spoil of the city of Aberdeen tempted him to the east country, and it was believed that he entertained a wild hope of adding to his own possessions all Scotland as far south as the Tay. At Harlaw, in July 1411, he fought a battle with the men of the east country, led by the Earl of Mar and the Provost of Aberdeen. The battle, says a fifteenth-century historian, was fought with a ferocity rarely equalled in foreign wars, the Islanders lost

more men than the civilized Scots, and Donald was compelled to retrace his steps without spoiling Aberdeen. His English alliance brought him no help.

The battle of Harlaw is an illustration, not only of the readiness of powerful families to rebel, but also of the tendency of the central government to invite a rebellion. Donald's claim to the earldom of Ross was not unreasonable, and a writer of a century later, who, as an Aberdonian, might be expected to regard with horror the peril of the city, took the view that the Lord of the Isles was fighting for a just claim, if only he had been content with it. If the Regent Albany was responsible for Harlaw, King James I cannot be acquitted of responsibility for the next rebellion of the Lord of the Isles. A strong man, with high ideals and firm of purpose, he was autocratic and impatient; he saw that a strong monarchy was necessary for the well-being of the country, and he did not scruple about the means he employed to increase the power of the Crown. In 1427, James summoned a Parliament to Inverness for the purpose of passing sentence upon a large number of Highland chiefs, including Alastair, Lord of the Isles, the son and successor of the warrior of Harlaw. On his release in 1429, Alastair raised an army

and burned Inverness, but his followers, though they were ready to plunder a town, were not prepared for a conflict with the royal power, and Alastair spent two years in prison at Tantallon, while his cousin upheld the standard of rebellion. The unfortunate King quarrelled with noble after noble, and at last, in 1437, he fell a victim to baronial jealousy. His son, James II, not wiser or more scrupulous than his father, had to face a combination of the Lord of the Isles with the House of Douglas.

The division of the forfeited lands of the "Disinherited"—the Scottish nobles who had supported the English cause—in the reign of Robert I had laid the foundation of the perilous greatness of the Douglases. Their origin is unknown; in the often quoted words of their family historian: "We do not know them in the fountain, but in the stream; not in the root, but in the stem; for we know not who was the first mean man that did raise himself above the vulgar." They took their name from their land, the country of the *dubh glass*, the dark water, a part of Galloway in which the Gaelic vernacular survived to the Reformation. We hear of a William de Douglas as early as the reign of William the Lion, whose charters he witnessed. One of his young sons became Bishop of Moray and

moved the see from Spynie to Elgin, and the eldest received from Alexander II a grant of lands in Lothian. Under Alexander III, the family increased in importance, and Sir William de Douglas purchased lands in Northumberland, the possession of which led his son to swear fealty to Edward I in 1291. The English king almost immediately availed himself of some pretext for the forfeiture of his property, and the Douglas became a patriot, and after a not entirely stainless career, died a prisoner in the Tower of London. His son was the good Lord James, the friend and companion of Robert Bruce, and to him and other members of his family the Bruce gave grants of forfeited territory. The power of the Douglases increased in the reign of David II. The earldom was created in 1358, and the first earl was an accomplice in an attempt of the wretched king to secure the Scottish succession for the family of Edward III of England, to the exclusion of Robert the Steward, the grandson of Robert Bruce. He is said to have disputed, or more probably, opposed, Robert's succession to the throne in 1371, but he became reconciled to the king and was made Justiciar South of the Forth. By one of a number of fortunate Douglas marriages, the first earl succeeded to the lands of the earldom of Mar. He drove the English

out of Annandale and Teviotdale, and died in 1384, leaving as his heir his son James, who had married a daughter of King Robert II. The second earl was the hero of Otterburn, whose death was in after years immortalized in Sir Walter Scott's "first favourite among all the ballads," rendered dearer by a mournful association with Sir Walter himself—

"My nephew good," the Douglas said,
"What recks the death of ane?—
Last night I dreamed a dreary dream
And I ken the day's thine ain.

Last night I dreamed a dreary dream,
Beyond the Isle of Sky
I saw a dead man win a field,
And I wot that man was I.

My wound is deep, I fain would sleep;
Take thou the vanguard of the three,
And bury me by the bracken bush
That grows on yonder lily lea."

The third earl was an illegitimate son of the good Lord James and succeeded by a family entail. Archibald "the Grim" was already lord of Galloway, and he had married the heiress of Bothwell. The *Book of Pluscarden* records that when Robert III made his heir

Duke of Rothesay and conferred the Dukedom of Albany upon his brother, he proposed to raise Douglas to a similar dignity, "but he himself would not have it . . . and when the heralds called out to him 'Sir Duke, Sir Duke,' he answered and said, 'Sir drake, Sir drake,' and thus he would only accept the name of earl." The contemptuous pun upon the Scottish pronunciation of "duck" may well be characteristic of the greatest lord in Scotland. He died in 1400 at his castle of Thrieve, which he had built on an island in the Kirkcudbrightshire Dee. His son, the fourth earl, married to a daughter of Robert III, "entered upon a heritage," says Sir Herbert Maxwell, "far exceeding anything that had ever been held by a vassal of the Crown. In addition to the paternal estates in Douglasdale and Galloway, Stirlingshire, and Moray, Selkirk Forest, and Clydesdale, he possessed the forfeited lands of the Earl of March in Annandale and Lothian," the former of which he retained after the restoration of March in 1409. He distinguished himself not only in Anglo-Scottish warfare, but also fought in the Percy rebellion at Shrewsbury, and in the great struggle of the French against King Henry V, taking service with Charles VII, who created him Duke of Touraine. He was slain at the battle of Verneuil in 1424. The fifth earl was his son Archibald, who for

valour on the field of Baugé had been created Comte de Longueville, and who played no very distinguished part in Scotland after the return of James I from his long English captivity.

The menace of the Douglas power was felt after the murder of James I—it may have been realized by James himself, for at one time he placed the Earl of Douglas in prison. In 1437, Douglas became regent for the young king, but he made no effort to govern the country, and allowed two undistinguished men, Sir William Crichton and Sir Alexander Livingstone, to struggle for the custody of the royal person. In June 1439, Douglas died, leaving an heir who was still a boy, only five years older than the little king. Closely related to the royal family, the lord of the whole of the south of Scotland, and endowed with the French title of Duke of Touraine, a clever and ambitious boy might well hope both to exercise a predominating influence in the councils of the realm, and to add to the lands which owed obedience to his name. He was not appointed to the post which his father had left vacant, and his attitude of contemptuous indifference to the proceedings of Crichton and Livingstone seems to have roused their alarm and suspicion, though it is difficult to believe that a boy of

fifteen could have given them any serious provocation. Forgetting their personal rivalries, they entered into an alliance for his murder, and they carried out their plot with merciless treachery. On a November day in 1440, the sixth Earl of Douglas and his brother dined with the young king, and were seized and beheaded by his guardians. The story of "the black dinner Earl Douglas gat" in Edinburgh Castle is familiar to all Scots children, for Sir Walter Scott has described in *Tales of a Grandfather* the alarm created when a black bull's head was placed upon the table, the mock trial of the two young Douglases, and their immediate execution. The Earl, only fifteen, was already married; the boy who was killed along with him was his only brother. If Crichton and Livingstone aimed at more than the removal of a possible rival from their own path, we should look to these facts for the explanation of their deed of blood. The murder of these two youths promised to weaken irreparably the strength of the House of Douglas as the rivals of the monarchy, for the distant cousin who would succeed to the earldom could not lay claim to the whole of the vast possessions or to all the great prestige of the dead boy. The French dignities, with their somewhat doubtful revenues, came to an end; the lordship of

Annandale reverted to the Earl of March; the lands of Galloway and Bothwell passed to the Fair Maid of Galloway, sister of the two victims of Livingstone and Crichton.

Yet the murders proved, from this point of view, to be as futile as they had been cruel. The seventh earl had territory more than enough for any subject, and his son, who succeeded him in 1443, married the Fair Maid of Galloway and re-united the broad Douglas lands. When James II undertook the government of his kingdom, he found the Douglas as powerful as ever, and it was probably inevitable that he should make the destruction of the Great House the principal aim of his policy. In the end of 1450, the Earl of Douglas made a pilgrimage to Rome, whence he was recalled by the news that King James had availed himself of some pretext to invade his dominions. There was disorder in the Douglas country, said the King, no doubt, with truth; and he proceeded to restore the peace by destroying one of the Earl's castles, and exacting oaths of allegiance from his men. On his return, the Earl accepted the situation and a re-grant of his territories from the Crown, but he was only biding his time. His brothers, Archibald, Earl of Moray, Hugh, Earl of Ormond, and John, Lord of Balvany, held large and widely scat-

tered possessions; he found in the "Tiger" Earl of Crawford a powerful ally and the bitter enemy of the King; and a treacherous league with the Lord of the Isles and with the English was always possible. "James the Second that had the fire-mark in his face" recognized the existence of a grave menace to the monarchy, and possibly to the dynasty, and he acted with vigour and without scruple. He sent Douglas a safe conduct and invited him to Stirling Castle. The Earl, on a Monday evening in February 1452, "passed to the castle, and spake with the King, that took right well with him by appearance, and called him on the morrow to the dinner and to the supper, and he came and dined and supped." After supper, James charged his guest with being privy to a traitorous band, and insisted "that he should break the said band. He answered that he might not, nor would not. Then the King said, 'False traitor, since ye will not, I shall,' and started suddenly to him with a knife, and struck him in the collar, and down in the body." Willing hands aided in the murder, as the Bruce's friend, long ago, had helped to "mak siccar" at the death of the Red Comyn. "The dirking" may have been, as Mr. Lang says, "probably the result of sudden passion, and of wine," but it is not easy to believe that

James would have let the Douglas depart while the danger remained. The Parliament considered that the Earl "was guilty of his own death by resisting the King's gentle persuasions to aid him against rebellious subjects," and the crime, impossible to justify, requires small explanation. The precise circumstances are surrounded with an amount of mystery which heightens the dramatic effect, but the mere fact that a King of Scotland should murder an Earl of Douglas possesses no element of wonder. In fifteenth-century Scotland some such thing must have happened, nor can posterity lavish much regret on the victim, innocent or guilty. In the strength of the Crown lay the only chance of national security and prosperity; if the eighth Earl of Douglas was, like too many of his family, a traitor, he deserved to die; if he was the unhappy victim of circumstances, his death prepared the way for the removal of the gravest of the many dangers that threatened the uneasy Stewart crown. Crawford was crushed at once, and the brother of the murdered Douglas was reduced to submission. The new Earl married his predecessor's widow and thus retained the undivided family property, but his House had suffered a deadly blow, and, within five years, the Black Douglases had ceased to be a

power in Scotland. Moray died on the battle-field of Arkinholm (Langholm), where James II shivered the Douglas spear, Ormond was put to death as a traitor, and the ninth Earl of Douglas survived as an English exile, to be used or disowned as English policy dictated, to take part in a combination in which Edward IV and the Lord of the Isles aimed at the destruction of the kingdom of Scotland, to intrigue with a disloyal brother of James III, to suffer his last defeat while fighting for the English at Lochmaben in 1483, and to die as a prisoner who had ceased to be dangerous. Thenceforward, no single subject could hope to defy the King of Scots.

The fall of the House of Douglas in 1455 afforded a great opportunity for a strong king, and James II used wisely and well the few years that remained to him. In 1460, he was accidentally killed at the siege of Roxburgh Castle by "a piece of a misframed gun that brak in the shooting," but the opportunity did not die with him, and, even after a somewhat troubled minority, his son, James III, found himself in a position such as no other sovereign of Scotland had held since the great war. In 1476, the proud Lord of the Isles was subdued by a royal army one of the leaders of which was the Earl of Crawford, and a strong king might

have established a firm rule over a united people. The traditional history of his reign records that the time had come but not the man. More fortunate than his predecessors in the circumstances of his reign, James III has been generally regarded as less fortunate than any of them in his personal character and disposition. He was certainly less fortunate in possessing—what is very rare in the annals of the Stewart House—a disloyal brother, the Duke of Albany. The tale of his troubles is intricate and obscure, and, as Mr. Lang has pointed out, " we know too little to sit as judges upon the unfortunate king." The rebellions against James III are different in type from earlier rebellions, and a point of some interest suggests itself. Leagues of barons were, as so often before, in arms against the King; some of them, like the Earl of Angus (Archibald Bell-the-Cat), the head of an illegitimate branch of the Douglas family, were engaged in the usual treasonable intrigues with England, the " auld enemy." But the object of the first important rebellion and of the intrigues with England was to place the King's brother on the throne of Scotland, and the aim of the second great rising was to supersede James by his eldest son. Neither Angus, nor any of his confederates, was fighting, as of yore, openly

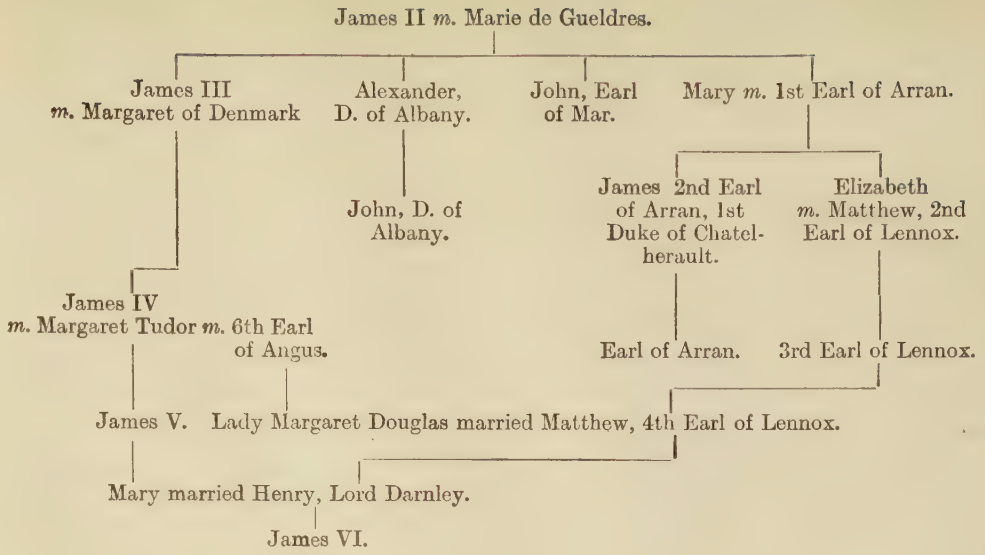
and avowedly for his own hand. The revolt was rather against the person of the King than against the monarchy, a circumstance which cannot but be connected with the ruin of the Black Douglases. "The last of the barons" had passed away, leaving as their successors men neither more unselfish nor more honourable, but from the point of view of a centralized monarchy, somewhat less dangerous. Baronial rebellion in Scotland required, for the first time, some apology; it was no longer recognized as in itself natural and inevitable. Something of this feeling is to be traced in the persistent attacks upon the King's character; a rudimentary public conscience required to be satisfied. That James was personally obnoxious to many of his great barons is clear enough, but the reasons they allege are sometimes capable of definite disproof. "Abandoned villains of low birth" may or may not be a fair description of the musicians and architects whom James loved, but we know that they were not, as his enemies said, his only councillors. He died mysteriously after a defeat on the field of Sauchieburn in June 1488, but the northern nobles supported him to the last, and his Chancellor in the last year of his reign was William Elphinstone, the saintly Bishop of Aberdeen. It is also significant that some

justification was felt to be necessary for intrigues between Scottish barons and an English king, for the enemies of James III alleged that in his diplomatic negotiations he was too friendly with the English, an assertion difficult to reconcile with the history of the reign. Thus, though the murdered King's life ended in defeat and failure, we can yet trace a definite advance in the position and influence of the Crown.

Under James IV, the power of the monarchy was extended and consolidated. The traitor Angus gave some small trouble, but was unable to do any real mischief. When the Lord of the Isles showed signs of restlessness, his ambitious title was annexed to the Crown, and the King's law began to run in the Hebrides, which James frequently visited. A marriage alliance with England produced some years of international peace. The security of the Crown helped the growing vigour of the national life, which found outlets in the expansion of commerce and the rise of a Scottish navy. The disaster at Flodden in 1513 placed a child of eighteen months on the throne of James IV, and the direct Stewart line soon depended upon his single life, for, after the death of an infant brother, James V was the only legitimate descendant of James III, and the next heirs belonged to the issue

of James II. The heir-presumptive was the Duke of Albany, son of the traitor-brother of James III, a French nobleman who spoke neither Scots nor English. After Albany, who had no child, the Earl of Arran stood next in the succession. Mary, elder daughter of James II, had married James, Lord Hamilton, by whom she had a son and a daughter. The family of Hamilton represented her son, and that of Lennox her daughter. The lack of heirs in the direct line introduced new dynastic considerations, and it may be well to avail ourselves of the help of a genealogical table to make the situation clear.

The table illustrates family relationships which influenced the course of Scottish history throughout the sixteenth century. The position of the Crown during the minority of James V was affected by the rivalry of the King's nearest heirs, and a further complication was introduced by the marriage of the Queen-Mother to the Earl of Angus, the head of the Red Douglases. Old Archibald Bell-the-Cat, the grandfather of Angus, had been engaged in treasonable conspiracies in conjunction with the father of Albany; their descendants now found themselves rivals alike in politics and in more purely domestic relations. The Queen-Mother's marriage alarmed the national party in Scotland; not


James II m. Marie de Gueldres.
James III m. Margaret of Denmark
Alexander, D. of Albany.
John, Earl of Mar.
Mary m. 1st Earl of Arran.
John, D. of Albany.
James 2nd Earl of Arran, 1st Duke of Chatelherault.
Elizabeth m. Matthew, 2nd Earl of Lennox.
James IV m. Margaret Tudor
m. 6th Earl of Angus.
Earl of Arran.
3rd Earl of Lennox.
James V.
Lady Margaret Douglas married Matthew, 4th Earl of Lennox.
Mary married Henry, Lord Darnley.
James VI.

unreasonably, for a Tudor and a Douglas were strange protectors of a Stewart throne. On the death of James IV, Margaret appears to have acted as Regent, but after her re-marriage, the Duke of Albany was invited to accept that office, which was duly conferred upon him by the Scottish Parliament in 1515. Margaret and Angus soon quarrelled, and the Queen-Mother's desire to obtain a divorce modified the natural development of Scottish politics. Finally, in 1524, Albany, always a Frenchman at heart, retired in disgust to France, and, shortly afterwards, Angus held the young King in bondage until in 1528 he made a dramatic escape from his tutelage. The rivalry of Angus, Albany, and Arran prevented the country from rallying after the disaster of Flodden, and the treacherous and unscrupulous diplomacy of Henry VIII and Wolsey introduced a new danger to the Scottish crown, for a considerable number of the Scottish nobility followed the evil example of Angus and the Douglases by becoming paid agents of the English. The monarchy was never so strong, until after the union of the Crowns, as it had been in the brave days of the fourth James. His unfortunate son began his brief period of rule burdened by the heritage of the miserable rivalries of his minority. Albany, though he lived till 1536,

gave no more trouble, but the King's mother caused some further difficulties, the proximity of the Hamiltons to the throne remained a constant danger, and Angus and his fellow-pensioners went far to make the new reign a failure. Mr. Lang may go too far when he says that the "dull and squalid intrigues of a selfish, sensual termagant, Margaret, and her unscrupulously ambitious husband, Angus, determined the fate of the Stuart line. They were to lean on France, and were to lose three crowns for a mass." It is not necessary to look so far ahead as the Revolution of 1688, but there can be no doubt that the early death of James V and the troubles of Mary Stuart were connected with the events of the years that followed Flodden.

James himself made a gallant effort to escape disaster. The "Commons' King," he encouraged wise and good legislation, he introduced something like peace into the borders, he re-established the royal power in the Highlands and the Hebrides, and he created the existing judicial system. But good government, which pleased the people, offended the nobles, and James V, like his ancestor, James I, made many enemies, and discontented barons intrigued with the English and with the outlawed Angus. The relations between Scottish barons and Henry VIII form

a peculiarly discreditable page of history, and it was the irony of fate that the character and the aims of the English party in Scotland should have been partially concealed and partially redeemed by a great religious movement. Henry VIII, the friend of Angus, had instructed his sister Margaret on the indissoluble nature of the marriage bond; his sermons had small effect upon a lady who succeeded in freeing herself from two husbands, and her mentor's conscience, though it never permitted him to doubt the sanctity of the marriage vow, nevertheless involved him in many scruples on the subject of what constituted a valid marriage. These scruples are closely associated with the ecclesiastical history of England, and after his breach with Rome, Henry eagerly attempted to persuade his nephew to follow in his steps, and offered him the hand of the princess afterwards to be known as Bloody Mary. James had begun his active life by overthrowing Angus and the policy of alliance with England; he knew that his uncle was unscrupulous and treacherous, that he was at that moment engaged in reviving the old claim of overlordship, and that he was prepared to kidnap him if he accepted an invitation to meet him in England; his difficulties with the nobility were more and more tending to compel him to rely on the

clergy. The Scottish clergy had always been national and anti-English, and the English Reformation forced them to become more than ever the partisans of the ancient French alliance. James himself knew that there was need for a reformation in the Scottish Church, but with the Henrician reformation in England before his eyes, he was not likely, in 1536, to have any appreciation of the nature or the influence of a great popular religious movement. In view alike of the domestic situation and of the history of Anglo-Scottish relations, the safe course seemed to be to walk in the old paths, and James held by Holy Church and the French Alliance. He made two French marriages, and he permitted the Church to persecute the Reformers.

It was a fatal blunder. The greedy nobility would have welcomed a seizure of the vast wealth of the Church, and they resented the King's growing dependence upon the Cardinal Archbishop of St. Andrews (David Beaton) and other clerical advisers. Henry VIII was determined upon war, and James's army, inadequately supported, was beaten at Solway Moss in November 1542. The King was in bad health and he had no spirit to continue the struggle. On the 14th December, he died, leaving a daughter, Mary, a few days old. After his death, the English party won

a temporary victory; Angus was restored, and the Scots agreed to a marriage treaty between their baby queen and Henry's only son, and the circulation of the Bible "in the vulgar toung" was permitted by Parliament. But the country was not ready for union with England, and there were only too good reasons to distrust Henry's honesty. The Regent, the third Earl of Arran (whose rights as heir-presumptive had been reserved in the marriage-treaty), made friends with Cardinal Beaton and with the Queen-Mother, Mary of Guise. The treaty was repudiated, and the ferocious campaigns which became known as the "English Wooing" destroyed the chances of the English party in Scotland. A new marriage treaty was made with France, whither the girl queen was sent in 1548, and Mary of Guise in 1554 succeeded Arran (now Duke of Châtelherault) as Regent. The policy of Henry VIII and of Somerset had, for a time, obscured the real effect of the fated choice of the old paths by James V, but when the French influence became thoroughly established, these results could no longer be concealed. French influence in itself was only less unpopular than English, and the Queen Regent's dependence upon France would at any time have been resented. But the essential change in the position of

the Crown in the latter half of the sixteenth century was much more fundamental than any question of alliance or any jealousy of foreign interference. Up to this time, the Crown had been regarded as the protector and defender of the poor, and it had certainly been the truest representative of the national feeling, a bulwark against England and against domestic disorder. During the minority of Mary Stuart, the national feeling changed, while the monarchy remained constant to its old ideals. The rapid advance of Protestantism brought the Scottish people into sympathy with the victorious English reformers of the reign of Edward VI and Elizabeth, or with the suffering English Protestants of the reign of Mary Tudor, and the old French alliance became identified with "that Roman Anti-Christ." The nobility, greedy for the lands of the Church, largely adopted the reformed faith, and the strength of the old family bond was increased when the Scottish barons became the Lords of the Congregation, the leaders of insurgent Protestantism against the "Synagogue of Satan."

The Regency of Mary of Guise ended in the stress of the first popular rebellion that Scotland had ever known. The Queen-Mother's death in Edinburgh Castle in the summer of 1560, while English aid was being

welcomed not only by ambitious and disloyal barons, but also by the men who were the leaders of the people of Scotland, finds no parallel in the conspiracy which brought about the murder of James I, or in the insurrection in which James III lost his life. Still less is the presence of an English force in Scotland in 1560 analogous to the English warfare at the death of James II, or of James IV, or even of James V. The Crown was distrusted by the people; the barons, if they were to retain the lands of which they had robbed the Church, must take up an attitude of permanent antagonism to the monarchy. The marvel of the career of Mary Stuart is, therefore, that she maintained her power for nearly six years, from her arrival in Scotland in August 1561 until her marriage with Bothwell in May 1567. Toleration of the Protestant *régime* which had been established in August 1560, without her consent, was absolutely essential if she was to rule at all. She gave it graciously enough, but it was not graciously received; Knox hoped to live under her as Paul under Nero, and the General Assembly of the Church protested, when the Queen's power was at its height, against "the papisticall and blasphemous masse . . . not only in the subjects but in the Queen's Majestie's awin person." Her

own priests were not safe from outrage, and Knox believed that he could have destroyed her power at the very beginning of her reign. Her marriage with Darnley in 1565 concentrated every element of opposition in the country. He was a Roman Catholic, and a Catholic reaction was feared, without very much reason. Mary doubtless hoped for it, but she never had any real chance of success, and a Catholic marriage merely increased the popular devotion to the Protestant Church and alarmed the nobility for the safety of their ecclesiastical lands. The Darnley marriage was also a menace to the great House of Hamilton (*cf.* Genealogical Table on p. 63). Darnley's father, the Earl of Lennox, stood next the Hamiltons in the succession to the throne of Scotland, and the Hamiltons were so near the throne that before Mary's return from France, there had been a suggestion of deposing her and uniting England and Scotland by the marriage of the Earl of Arran (son of the Duke of Châtelherault) to Queen Elizabeth. Now Darnley proposed that, in default of any issue of the marriage, he himself should be recognized as his wife's next heir, to the detriment of the Hamiltons. The leaders of the Protestant lords had rebelled when the marriage took place; Darnley, jealous and resentful of what he considered

Mary's neglect of his advice and of his claims, entered into a plot along with the exiled lords who were his natural enemies. The conspirators intended not only to murder Mary's secretary Rizzio, whose influence over the Queen was resented by her husband, but also to deprive Mary of any share in the government of the realm. When the first object had been attained, Darnley, perceiving that his allies were not likely to submit to his own ascendency, deserted and betrayed them. The Queen, with her husband's aid, escaped from the custody of the murderers of her secretary, and recovered her power, but the birth of her son three months later (June 1566), while it seemed to secure her position, had in reality an effect similar to that of the birth of another Stuart baby on a June day a hundred and twenty-two years later; it alarmed her enemies by providing for the succession of another Catholic prince. Mary's victory in two serious rebellions is, in view of the circumstances of her reign, a proof of unexpected strength in the position of the monarchy, and it must be remembered that she had to face not only domestic enemies and popular dislike of her religion, but also the persistent hostility of Elizabeth of England, who, while maintaining the appearance of amicable relations, was supporting Scottish

rebels and bribing the Scottish nobility. As early as 1562 she had boasted with truth that Scotland was " so much at her devotion " that it was useless for a foreign prince to marry the Queen of Scots. Darnley's mother, the Countess of Lennox, was, after Elizabeth and Mary, the nearest direct representative of the line of Henry VII, and the consolidation of their claims and the birth of a Catholic heir was regarded by the English Queen as a menace to the stability of her own throne.

After the birth of the prince, a new crisis was approaching, the real nature of which has frequently been obscured by the absorbing interest of the biographical problem of the personal relations between Mary and Darnley or between Mary and Bothwell. Darnley had aroused too many antagonisms to be allowed to live; he had offended and betrayed men who were certain to take their revenge. Further, it was desirable that the plot to destroy the Queen's power, which had failed, owing to Darnley's desertion in 1566, should be successfully carried out before the end of the year 1567. In December 1567, Mary would complete her twenty-fifth year, and by the custom of Scotland, sovereigns had the right, up to the age of twenty-five, of cancelling grants of land made during their minorities. All the ecclesiastical lands now

secularized were held by tenures which began in the Queen's reign, and were therefore still in some jeopardy. Much of what actually happened is mysterious and debatable, but this at least is certain, that there was a widespread conspiracy against Darnley and that the leaders of the Protestant nobility hoped that his fall would involve that of his wife. Guilty or innocent, Mary lost her throne.

The position of the monarchy, temporarily weakened by a civil war and a minority, was substantially strengthened by the deposition of the Queen. The differences which had separated Crown and people in the regency of Mary of Guise and during the reign of her daughter ceased to exist, for James VI was educated as a Protestant and a Calvinist. The Church, as we shall see in another chapter, came to occupy a position which endangered the power of the Crown, and new questions arose in which the young King adopted an unpopular attitude. But the force of Presbyterian opinion against a monarch who preferred an episcopal government of the Church, could never compare with the force of Protestant opinion against a Roman Catholic ruler. The division of opinion was, in fact, so considerable that the King was sometimes able to score an important victory, and, when his

opponents were too strong, it was always possible for him, as it had been impossible for his mother or his grandmother, to make a temporary surrender, and to allay popular suspicion.

The succession of James VI to the throne of England in 1603 still further strengthened the Scottish Crown. The sovereign was able to impose upon the Church a moderate settlement of the questions which had been at issue when he ruled in Edinburgh. The nobility, enriched by the lands of the monasteries and ambitious of playing a part on a wider stage than the realm of Scotland, ceased to trouble. The machinery of government—Parliament and Privy Council—fell into the King's hands, and he was justified in his famous boast that he ruled Scotland with a pen, mightier than the sword of his ancestors. Even the Highlands, the Orkneys and the Shetlands, and the Borders were made, often by harsh, and sometimes by treacherous methods, to acknowledge the rule of law. The power of the monarchy was at no time so great in Scottish history as from the Union of the Crowns to the death of James VI. The edifice of royal authority, as James bequeathed it to his son, had been largely created by the methods of the Tudor sovereigns of England, and the King could look to the

resources of his new kingdom for the means to maintain it. Some fifteen years after his death, it was attacked, and it fell because these resources were no longer available. Charles I was sufficiently unwise to quarrel with two (it is not unfair to say with three) kingdoms at the same time; in Scotland, he concentrated against himself the forces of popular religious enthusiasm and of baronial greed. James V had been compelled to rely on the support of a powerful clergy, and he failed. His great-grandson chose to rely on the support of a powerless episcopate. Guided by worthy motives, he tried to obtain for the Church some of the spoils which had passed into lay hands, and his attempt aroused the opposition of the landed gentry, great and small. The Church which he desired to endow did not represent the religious convictions of the majority of his people, and ecclesiastical discontent passed into open rebellion.

Yet so effective was the monarchical tradition that the National Covenant which was the prelude to a civil war pledged its signatories not to attempt anything that might turn to the diminution of the King's greatness or authority. We know that the Covenant was drafted in order to secure the support of the moderate party, but it is significant both that, at a time of such violent emotion, there

was a moderate party to conciliate, and that their demands took this form. Even when a weak royalist force was facing a strong Covenanting army on the borders in 1639, a Presbyterian leader wrote—

"Had our throne been void, and our voices sought for the filling of Fergus's chair, we should have died ere any other had sitten down in that fatal marble but Charles alone."

In the period of the Reformation struggle there had been indications of a nascent Scottish republicanism. John Knox had questioned if the assent of the sovereign was required for Acts of Parliament which dealt with the settlement of religion, and George Buchanan had expressed the opinion that "as the people are the authors of kings, so they are and ought to be the authors and the interpreters of the law," and had upheld the right of the people to depose and punish bad kings. The Covenanters of the reign of Charles I were not the advocates of a republican theory and when the King's English enemies abandoned their pretext of loyalty to the Crown combined with rebellion against the person of a king misled by evil advisers, the Scots rallied to the support of the monarchy. When the news of the execution of

the King reached Scotland, the unanimous voice of the nation proclaimed his son "King of Great Britain, France, and Ireland." Eleven years later, the Restoration was enthusiastically welcomed throughout the country, and although the government of Charles II was carried on by politicians whom no man could respect and by methods of corruption, treachery, and cruelty, nineteen years elapsed before it provoked a rebellion on any large scale. In the most tyrannical period of the reign of James VII the rebellion which Argyll raised in Scotland met with no popular support, and the Scots had no share in the expulsion of the last Stuart king. They accepted the fact of his fall, and made the best terms they could with his successor. William was justly unpopular in Scotland: he behaved with callous treachery alike in the affair of Glencoe and in that of the Darien Scheme, and it is not wonderful that Scottish experience of a monarchy under Charles II, James VII, and William of Orange led some statesmen, like Fletcher of Saltoun, to favour a republican theory. But it was a dynastic and not a republican controversy which divided the country, and the strength of Jacobitism in Scotland from 1689 to 1746 is, in part, to be attributed to devotion to the traditional monarchy. There were many

other considerations which appealed to the followers of Dundee, of the Earl of Mar, and of Prince Charles Edward. For Roman Catholics, still numerous in parts of Scotland, it was a point of honour to follow the King who had lost three kingdoms for a Mass. The Episcopalian families of Perthshire and the north-east, imbued with the tradition of Montrose's gallant struggle for King Charles, and resenting the victory of the Presbyterians of the Lowlands in the Revolution Settlement, rallied to the Stuart banner, and it was they who enabled Prince Charlie to continue his struggle after the retreat from Derby. The policy of William of Orange, and the Union of the kingdoms in Anne's reign seemed to many patriotic Scotsmen to mean the abandonment of everything for which Scotland had contended for more than four hundred years, and they would have welcomed the triumph of the Stuarts as a revival of Scottish nationality. The Highlanders of the west, who had successfully resisted the process of anglicization which had made their Lowland brethren not indeed Englishmen but English-speaking and English-living Scots, were, at Killiecrankie and Sheriffmuir and Prestonpans and Culloden, consciously or unconsciously fighting against the fate which for the last century and a half has been overtaking them. But when

full allowance has been made for all this, and for other motives less honourable, it remains undeniable that the glamour of the ancient monarchy (experienced at times by Robert Burns as well as by Walter Scott) was still, in the first half of the eighteenth century, a living factor in Scottish politics. Jacobitism stood to many different men for many different ideals, but the restoration of the Stuarts was never solely a means to an end.

When Jacobitism became merely a dream, Scotland remained, with its unrepresentative representation in the British Parliament, almost as completely at the disposal of the Government as it had been under James VI or Charles II. As time went on, there was a persistent demand for the reform of both the parliamentary and the municipal system, and, on the outbreak of the French Revolution, even moderate reformers were, like their English contemporaries, attracted by the vision of a new world. The Government and the upper classes were, not unnaturally, alarmed, but there never was in Scotland anything like real revolutionary propaganda on a large scale. The demand, generally misinterpreted and long resisted even when it was understood, was simply for the abandonment of an evil and corrupt political system, and in course of time it was satisfied by the

Reform Act of 1832 and by the legislation of the reformed Parliament. Even at the moment of greatest revolutionary fervour, there was no danger to the monarchy. The Hanoverian dynasty was not popular in Scotland, but the nation acquiesced in its existence. The Secretary for Scotland, or, after the abolition of that office, the Lord Advocate or some other member of the Government, was the real sovereign. Scottish loyalty to George I or George II could scarcely be expected, and, although the personal character of George III won general esteem, there could be no element of personal devotion. No sovereign of Great Britain had visited Scotland since the Revolution. At a time when the monarchy was rapidly forfeiting national respect, the visit of George IV to Edinburgh afforded an opportunity for the genius of Sir Walter Scott to create a kind of galvanized loyalty to the throne, but it was reserved for Queen Victoria to attract to the Hanoverian House the affection of a nation whose popular impulse had always been towards a loyal and free obedience.

CHAPTER III

THE FAMILY AND THE CLAN

WHILE, in the twelfth and thirteenth centuries, the dynasty of Malcolm Canmore was uniting Scotland under an English law, there was growing up an organization which in its early stages proved an efficient aid to the monarchy, but which during the War of Independence and after the death of Robert I was to menace the stability of the throne and the unity of the kingdom. In Mr. R. L. Poole's *Historical Atlas of Modern Europe* there is a map of Scotland "showing the principal Clans and Families." Throughout the later Middle Ages, this distinction between clan and family is of great importance. We find the clan in the Western Highlands, and the family in the south of Scotland and in the country between the Forth and the Moray Firth. The history of the period between the accession of Malcolm Canmore and the death of Alexander III affords the explanation of these different forms of organization. It is not remarkable that the family system should

be found between Berwick-on-Tweed and the Firth of Forth, for in the Lothians we have no trace whatsoever of the existence of the tribal system. Such recorded facts as have come down to us, and such inferences as we can venture to make about the early history of this part of Scotland must be sought in works dealing with the English kingdom of Northumbria. When the Lothians passed, by the battle of Carham in 1018, under the dominion of the Scottish kings, less than sixty troubled years had to elapse before the beginning of the anglicization of Celtic Scotland, and there could be no attempt at the restoration, south of the Forth, of the Celtic civilization which, hundreds of years before, had been destroyed by the conquering Angles. We cannot, therefore, be surprised to find in the Lothians a family system, in some ways analogous to that which prevailed in England; but it is remarkable that this organization had completely superseded the tribal institutions in Galloway and between Forth and Spey, at a date before we know of the existence of the clan system in the Highlands. It would not be true to say that the Lothians conquered the rest of Scotland; but we have seen that influences which had long been at work in the Lothians were, in the end of the eleventh century, introduced elsewhere, and that new

influences of one type began to affect Forfar and Fife, and even Moray, as well as Berwickshire.

The period of the rise of the great families was not that of Malcolm Canmore, when the Scottish Court and the Scottish Church were alike becoming Saxon, and when trade with England began to bring English blood and English ways into Scottish towns, but the reign of his son, David I, when the King was giving to his Anglo-Norman friends large grants of land between the Moray Firth and the English borders. Such grants of land did not, unless in a few exceptional instances, involve the dispossession of the existing inhabitants. The charters which the new landlords received from the King deprived no man of his heritage, but they gave to the new-comers such rights and privileges in large tracts of country as placed the old possessors in a position of dependence upon them.

The manner in which a great family influence was created may best be understood from an actual example. One of the friends of David I when he was a youth at the Court of his sister, the queen of Henry I of England, was a Robert de Bruce, a member of a well-known Anglo-Norman family, possessors of wide lands in Yorkshire. On his accession to the throne of Scotland, David conferred upon

this Robert de Bruce the lands of Annandale or Strath Annent, a territory which included more than 200,000 acres. The charter by which this magnificent gift was conferred is preserved in the archives of the Duchy of Lancaster; it has often been printed and it is reproduced in the first volume of the *National Manuscripts of Scotland*. It consists of some ten lines, and its few details relate to the boundaries of the lands, but it contains one significant sentence: "I will and grant that he hold and have that land and its castle, well and honourably, with all its customs; to wit, with whatever customs Randulf Meschin had in Carduill and in his land of Cumberland, on whatever day he had them best and most freely." Randulf Meschin or Randolph the younger (afterwards Earl of Chester), was the son of a great Norman baron, Randolph of Bayeux, and he possessed the English lordship of Cumberland, which bounded the Scottish land of Annandale. The model which David chose for the conditions on which his friend was to hold the lands thus given was the custom of the English lordships of Carlisle and Cumberland. The rights and privileges of great English barons were as well known to David and to Bruce as they were to Randulf Meschin, and it saved some trouble to use this simple formula instead of writing down all

the details of the gift. The fact that this charter is based so completely and so frankly upon English precedents is of some interest in itself, but we should have been glad if David's scribes had been a little more energetic and had told us some things that we should much like to know.

It would be possible to discover the terms on which the first Scottish Bruce held his lands from English analogies and from the grants made by David I to Scottish religious houses, the charters of which are sometimes more detailed. But we need not enter upon any prolonged investigation, for a later charter referring to Annandale itself will give us what we want. In spite of the fact that Robert Bruce fought against David in defence of King Stephen at the battle of the Standard in 1138, his family retained their possessions, and David's grandson, William the Lion, confirmed the grant to Bruce's son, also a Robert Bruce, in 1166. The deed of confirmation is much more detailed than the original grant.

"I have given and granted," it says, "and by this my charter confirmed to Robert of Brus and his heirs, all the land which his father and himself have held in the dale of Annand, by the same marches by which his father held it and he after his father, to be

held to himself and his heirs of me and of my heirs in fee and heritage, in wood and plain, in meadows and pastures, in moors and marshes, in waters, stanks, and mills, in forests and trysts, in hills and harbours, in ways and paths, in fishings, and in all its other just appurtenances . . . excepting the royal rights which belong to my royalty, to wit, cause of treasure-trove, cause of murder, cause of assault aforethought, cause of rape, cause of arson, cause of robbery, which causes I reserve to myself."

The land is given in wood and plain, in meadows and pastures, in forests and trysts. The "plain" is the arable or manured land; the meadows are hay-meadows; the forests included not only the right of hunting, but various other important privileges of fodder and underwood. Some of these were often given or let, while the great lord retained the right of hunting. Thus, for example, the Avenels of Eskdale gave to the monks of Melrose the pasturage of their forest, and their grant led to an interesting lawsuit which illustrates the forest privileges. The monks complained that the Avenels destroyed houses and ditches in the forest and sent cattle there to feed, and it was decided that the Avenels had the sole right to the great game (hart

and hind, boar and sow, roe and doe and the eyries of hawks), and that the monks might not hunt with hounds or set traps for any animals other than wolves. On the other hand, the Avenels must not injure growing crops, hedges, meadows, sheep and cattle, or pull down lodges and houses. The "trysts" of the Annandale charter are not, as modern Scottish readers might guess, cattle-fairs, but duties imposed upon the inhabitants of the forest when the lord went a-hunting; these duties were connected with the feeding and the management of the hounds. The moors and marshes were important for fuel, and in many charters, brushwood and heath, peat and turf are expressly mentioned. The grant of ways and paths is almost invariable in these charters; it gave the lord the responsibility for the peace of the highway and enabled him to exclude, or to seize and punish, evil-doers. The "waters" mean running waters; stanks were ponds used either for fishponds or for mills. The grant of mills was one of the most important financial provisions of the charter, for tenants were bound to have their grain ground at the lord's mills, and they paid heavy dues for the privilege, besides being frequently bound to help in the carriage of the mill stones. In the later clauses of the Annandale charter, we are left to infer the rights of the

lord. The King reserves to himself the trial of five serious felonies, and leaves, by implication, all less important jurisdiction to the lord. This right of doing justice was a rich source of revenue, for no one—King, lord, or Church—did justice for nothing, and a great lord, dealing with his own tenants, could not only exact fines but might even pronounce sentence of forfeiture.

Readers of *Waverley* may expect a more definite reference to the judicial rights of the lord, for the Baron of Bradwardine could boast of the right "habendi curias et justicias, cum fossa et furca, et saka et soka, et thol et theam, et infangthief et outfangthief," the cabalistic words which delighted Bailie McWheeble. We find them in the reign of David I, but we prefer to quote them from a later charter which illustrates another aspect of the process of the rise of the great Scottish family. The Bruces were, as we have said, Norman friends of David I; but such grants were not confined to foreigners. The old Scottish nobility, Celts by birth, gladly accepted written documents which secured the preservation of their rights, and gave them privileges which they did not always possess by tribal custom. Thus, we find, early in the thirteenth century, a grant by Alexander II, the son and successor of William the Lion, to

Malcolm, Earl of Fife. The earldom is granted in wood and plain and so forth as in the Annandale charter, but also "with soc and sac, with gallows and pit, with Toll and Them, and Infangthef." The terms are all familiar in grants of jurisdiction in England; soc and sac, with gallows and pit, means the right of holding private courts and the power of life and death—the gallows for hanging men, the pit for drowning women; thol is the right of exacting customs or, possibly, exemption from paying them; Them or team is a special power of civil jurisdiction where stolen goods were concerned. Infangenthef is the right of trying and punishing a thief caught within the jurisdiction of the holder of the charter, as distinguished from outfangthef, which was the right of trying a dependent who was accused of theft outside the jurisdiction of his lord.

The free tenants who occupied the lands when a charter was given thus passed under the jurisdiction of the lord. Their lands became his lands, held by them from him, and they owed him not only a money rent but also some actual services, rendered at seedtime or harvest, or in carriage of goods, or in making of roads. Grants of lands often contain clauses which give the possessions of the free tenants, with the tenants themselves and their services. Besides the free tenants,

there were occupants of the lands in various degrees of bondage, and the serfs and their children were often mentioned in deeds of gift. They could not, as a rule, be sold away from the land to which they belonged, and if they succeeded in escaping and in living in a town for a year and a day, they became free men. But fugitive serfs were searched for and royal warrants ordered that their pursuers should receive assistance from the King's subjects. Sometimes the King gave special permission for serfs to be removed from one of their lords' properties to another, and there are instances of actual sales. Thus in the reign of Alexander II, Bertram, son of Adam of Lesser Riston, affixed his seal to a charter which said : " I have granted, sold, and for me and my heirs for ever entirely quit-claimed, to the Prior of Coldingham, Turkil Hog and his sons and his daughters." Their price was three marks of silver, and Bertram mentions that the monks gave him the money " in my great need," so we may hope that it was only in exceptional instances that such transactions took place.

The instances we have given all date from before the War of Independence. The events of that period caused a large number of forfeitures of lands, and, in re-granting these territories to new owners, Robert the Bruce

and his successors continued, and even increased, these lavish gifts and privileges. Even the special pleas of the Crown, the causes which William the Lion reserved to himself in the Annandale charter, were sometimes given away. Thus in the first year of his reign, Robert II gave his son David the earldom of Strathearn "with the four pleas of the Crown." Gradually, the old thanages which abounded between the Forth and the Moray Firth were all converted into baronies, held by owners who, though not necessarily peers in the English sense, possessed rights of jurisdiction. These thanages were, in the time of the Alexanders, a peculiar tenure illustrating the process of conversion from the tribal to the family system. Their disappearance destroyed the last vestiges of tribal custom, and after the War of Independence the family system became as firmly established in Fife and Forfar, in Aberdeenshire, Banffshire, and Morayshire, as in the Lothians.

The powers of baronial courts persisted, at all events in theory, until the middle of the eighteenth century. The Baron of Bradwardine, it will be remembered, "was more pleased in talking about prerogative than in exercising it; and except that he imprisoned two poachers in the dungeon of the old tower of Tully-veolan, where they were sorely frightened by

ghosts and almost eaten by rats, and that he set an old woman in the jougs (or Scottish pillory) for saying 'there were mair fules in the laird's ha house than Davie Gellatley,' I do not learn that he was accused of abusing his high powers." But, as late as the end of the sixteenth century, we find the owners of private courts making a less modest use of them. The most lavish grants of jurisdiction known in Scotland were those of Regalities, in which the lord had not only powers of life and death, but could, except in cases of treason, claim the person of an accused man who lived within his territory, and prevent his being tried elsewhere, even in the royal courts. King James VI, who complained that these hereditary jurisdictions threatened "to wracke the whole land," did not avail himself of every opportunity of getting rid of them. In 1590, he granted to Sir Alexander Lindsay the lands of Spynie, near Elgin, which had been held before the Reformation as a regality by the Bishops of Moray, and with the lands he gave also the jurisdiction. The records of the *Court of the Lordship and Regalite of Spyne* for the years 1592 to 1601 have been preserved, and they show how fully these powers were exercised. The court was held, not by the lord himself, but by his bailie. Sometimes it met in the cathedral church of

Elgin, sometimes (in accordance with a very ancient practice) in the open air, by the side of the river Lossie or in a churchyard. A large number of tenants, including such important personages as the Earl of Huntly, Lord Lovat, McIntosh, and the laird of Grant, were bound to be present at the court. There are instances of the "repledging" or claiming of prisoners from the Duke of Lennox, the King's Lieutenant. In one case in which the jury acquitted a prisoner accused of murder, the prosecutor protested that it was "ane caus of tressone," but in other cases, which seem to us to come more properly under that description, no such protest was made. The cases which came before the court were generally murder and theft. There is a reasonable proportion of acquittals. The record of convictions does not always show what the penalty was. Male criminals were usually hanged and women were drowned; but on one occasion, when the court met by the river side, a male thief was drowned, and, on another, a man and his wife were drowned "for the theftuous stealing and concealing of two sheep." They were described as "common notorious theiffs and resettaris of thift, outfang and infang thevis."

The great lord who held, under such conditions, a wide tract of country was a king

in his own domain, and he had the power of granting land and privileges to under-tenants who were frequently members of his own family. The first volume of the New Spalding Club's History of the House of Gordon shows that a grant of lands in Aberdeenshire to a Gordon in 1319 led to the creation of about a hundred and fifty Gordon families in the north-east of Scotland, and this is only an exceptionally good illustration of a process which was going on all over Scotland south of the Highland line. As surnames gradually became usual, the dependents of the great house, or of one or other of its branches, adopted the family name, and a whole district came ultimately to bear it. Thus, between the Firth of Forth and the Tweed, we find, at various times, the Lindsays, the Setons, the Homes, the Douglases, the Kerrs, the Elliotts, and the Armstrongs. In the south-west, there were Johnstones, Maxwells, Kirkpatricks, Stewarts, Gordons, McDoualls, Kennedys, Cunninghams, and Montgomeries; in Fife, Setons, Lindsays, and Bethunes; in Angus and the Mearns, Lindsays; and in Aberdeenshire, Gordons and Forbeses. Blood ran thicker than water, and the devotion of the members of a great Lowland family to its chief may have been part of the heritage derived from Celtic Scotland. Scottish

history, down to the eighteenth century, abounds in illustrations of what we might almost term clan feeling, outside the Highland region. It was one of the great difficulties of the Stewart kings while they reigned in Scotland, and one of their sources of strength when, in the seventeenth century, or in the eighteenth, a Stewart was struggling to recover a lost crown. Perhaps the best illustration of the depth of this feeling is to be found in the attitude of John Knox to the notorious Earl of Bothwell, Queen Mary's third husband. Bothwell had an interview with Knox in 1562, and the Reformer has given us a summary of their conversation.

"My Lord," he said to Bothwell, "wold to God that in me war counsall or judgement that mycht comforte and releave you. For albeit that to this hour it hath nott chaunsed me to speik with your Lordship face to face, yit have I borne a good mynd to your house; and have bene sorry at my heart of the trubles that I have heard you to be involved in. For, my Lord, my grandfather, goodsher [maternal grandfather] and father have served your Lordshipis predecessoris, and some of thame have died under thair standartis; and this is a part of the obligation of our Scotishe kyndnes."

There were, of course, small families as well as great. Thus, for example, King Malcolm IV gave the lands of Innes in Moray to a certain Berowald, a Fleming, and he was the founder of a long and distinguished line of Morayshire lairds, who took the name of Innes. Berowald's grandson received a fresh charter from Alexander II, in which all the ordinary rights of jurisdiction are specified, and Walter of Innes became a baron in the Scottish sense, *i. e.* a landowner who held in chief from the Crown and who possessed the power of life and death. At their greatest, the Inneses held the land between Spey and Lossie, and they established numerous cadet families. Small families were usually in close relations with one of the greater families near them by what were known as bands of manred or manrent. Such bonds or covenants kept a whole district together. Their nature may be illustrated from two series of bands made by the great family of Hay, the head of which, the Earl of Erroll, was Constable of Scotland, and by the Earl of Huntly, the head of the Gordons. The documents, which have been printed in Vols. II and IV of the Miscellany of the Spalding Club, date between 1444 and 1670. One of the earliest of them, "ane band maid betwix the Erll of Erroll and the Lord Gordoun," is not strictly a bond

of manrent, but a covenant between potentates too great to enter into such an agreement. A bond of manrent generally placed the inferior in rank of the two parties to it in a position of commendation or feudal dependence, although there might be no actual feudal tie between them. Erroll and Gordon made an agreement not of manrent and service, but of alliance. Gordon was Erroll's brother-in-law, and he bound himself to be "for him and with him, his kin and friends and their quarrels, in council, help, supply, maintenance, and defence, as far as good conscience and reason will, in the straitest form of band of kindness against and before all living men except his allegiance to our Sovereign Lord the King alone." The other part of the agreement is extant and is to be found among the Gordon bonds of manrent. In it, the Earl of Erroll takes a precisely similar oath to Lord Gordon, the eldest son of the Earl of Huntly. The oath of manrent proper, taken by a man to his superior in rank, bound him to leal and true service, with his person and goods, in peace and in war, against all men but the King, and the promise included some such words as these: "I shall neither hear, wit, see, nor know skaith, hurt, damage or apparent peril to his person, goods, friends, or heritages, but I shall warn him

thereof and let it at my goodly power. And if he asks at me any counsel, I shall give him the best I can. And if any counsel he shows me, I shall conceal and keep it secret." These bonds were sometimes made for life and sometimes for a term of five or seven years. The inducement to enter into them was sometimes a grant of land, and, occasionally, a payment of money: but it was often a precaution taken in view of the disturbed state of the country or a measure adopted for the preservation of peace. When the Hays and the Gordons made their alliance in 1466, in the troubled minority of James III, some of the men who were under bond of manrent to Huntly entered into a similar agreement with Erroll, saving their allegiance to the King and their manrent to Huntly.

One of the consequences of a bond of manrent was liability to take part in the assemblies which attempted to overawe the courts of justice. Thus, for example, in 1617, the Earl of Huntly wrote to Alexander Innes of Cottis.

"Our cousin the laird of Gight," he said, "is summoned to underlie the law in Edinburgh the 26th day of this instant February. Which requires our presence for the safety of his life, wherefore we will desire you most

earnestly to meet us at St. Johnston [Perth] on Monday the 24th of this instant February, by four hours afternoon, therefrom to accompany us to Edinburgh, where ye shall stay but twenty-four hours. Thus looking assuredly ye will not omit to keep the time and place appointed, as we shall be most willing to acquit [requite] you when occasion shall offer."

It is obvious that such bands as these were likely to be a danger, not merely to the administration of justice, but even to the royal power itself, and the formal assertion of loyalty to the sovereign, which most of them contained, was not always observed. Yet, for a long time, the law of Scotland actually provided processes for enforcing bonds of manrent, and there are numerous instances of judicial decrees to this effect. As early as 1457, indeed, an attempt was made to prevent townsmen or dwellers within burghs from entering into bonds of manrent or from riding "in feir of weir with na man bot with the King or his officiaris of the burghe that thai dwell in." But it was not until almost exactly a century later that a statute passed in Queen Mary's minority (1555) ordained that all leagues made "in times bygane be null and of nane avail and all bands of man-

rent and maintenance in like wise be null and of nane avail." The preamble of the statute states that it is thought against all law and obedience of subjects toward their Prince for men to make such leagues, but more than a hundred years elapsed before the custom entirely died out.

The Reformation was the great solvent of the bond of manrent, for the division of Church property gave the landowners fresh reason for obedience of subjects towards a Protestant Prince. But in Mediæval Scotland, the family and these leagues of families were a constant menace to the central government.

Scarcely less dangerous was the clan system of the Highlands. We know very little indeed about early Highland history, and it is impossible to trace the growth of the clan out of the tribe. "It is in the reign of David the First," says Mr. Skene, "that the sept or clan first appears as a distinct and prominent feature in the social organization of the Gaelic population," and it is not until the reign of Robert III that he finds "the first appearance of a distinct clan." The research of Celtic scholars and of students of early custom may throw further light upon what is a remarkable development; for our immediate purpose it is sufficient to realize the position of the clan in the period between

the fourteenth and the eighteenth centuries. By the old tribal system which existed in Scotland before the days of Malcolm Canmore, the land was held, not by the tribe in general, but by the *ciniod* or near kin of the *flath* or senior of each family within the tribe, under the jurisdiction of the chief. Thus the commonalty of the tribe had little to lose by the feudalization of the Lowlands, and it gained nothing from the rise of the clan in the Highlands. When the sept emerged from the tribe, its land was held by the chief, who let out portions of it to his kinsmen, and these kinsmen in turn founded smaller septs within the clan. The law of Mediæval Scotland, ignoring Highland custom, and assuming a feudalization which had not taken place, consistently treated the chief as a tenant *in capite* and substantially increased the power given by the constitution of the clan, while, on the other hand, ancient tradition was strong enough to maintain the authority of a chief who, in the eyes of the law, held neither property nor jurisdiction. Mediæval observers frequently remark on the characteristic Highland virtue of obedience to a chief, and in this, as in other respects, the clan system remained unchanged until the eighteenth century.

In the interval between the two Jacobite

Risings, we have a description of the Highlands by a young Englishman, who, about 1725–6, was General Wade's chief surveyor during the making of roads through the Highlands. There is a considerable amount of similar material in the seventeenth and eighteenth centuries, but Edward Burt's account is the clearest general statement—

"The Highlanders are divided into Tribes or Clans under Chiefs or Chieftains . . . and each Clan again divided into Branches from the main Stock, who have Chieftains over them. These are subdivided into smaller Branches of fifty or sixty men, who deduce their Original from their particular Chieftains, and rely upon them as their more immediate Protectors and Defenders. But for better Distinction I shall use the Word Chief for the Head of a whole Clan, and the Principal of a Tribe derived from him I shall call a Chieftain. The ordinary Highlanders esteem it the most sublime Degree of Virtue to love their Chief, and pay him a blind Obedience, although it be in Opposition to the Government, the Laws of the Kingdom, or even to the Law of God. . . . Next to this Love of their Chief is that of the particular Branch from whence they sprang: and, in a third Degree, to those of the whole Clan or Name,

whom they will assist, right or wrong, against those of any other Tribe with which they are at Variance, to whom their Enmity, like that of exasperated Brothers, is most outrageous. . . . The Chief exercises an arbitrary Authority over his Vassals, determines all Differences and Disputes that happen among them, and levies Taxes upon extraordinary Occasions such as the Marriage of a Daughter, building a House, or some Pretence for his Support and the Honour of his Name. And if any one should refuse to contribute to the best of his Ability, he is sure of severe Treatment, and if he persisted in his Obstinacy, he would be cast out of his Tribe by general Consent; but Instances of this kind have very rarely happened. This power of the Chiefs is not supported by Interest, as they are Landlords, but as lineally descended from the old Patriarchs, or Fathers of the Families; for they hold the same Authority when they have lost their Estates. . . . On the other Hand, the Chief, even against the Laws, is to protect his Followers, as they are sometimes called, be they never so criminal. He is their leader in Clan Quarrels, must free the Necessitous from their Arrears of Rent, and maintain such who, by Accidents, are fallen to total Decay. If, by Increase of the Tribe, any small Farms are wanting for the support of such Addition, he

splits others into lesser Portions, because all must be somehow provided for; and as the meanest of them pretend to be his Relations by Consanguinity, they insist upon the Privilege of taking him by the Hand wherever they meet him. . . . Some of the Chiefs have not only personal Dislikes and Enmity to each other, but there are also hereditary Feuds between Clan and Clan, which have been handed down from one generation to another for several Ages. These Quarrels descend to the meanest Vassal; and thus, sometimes, an innocent Person suffers for Crimes committed by his Tribe at a vast distance of Time before his Being began. . . . Often the Monuments of a Clan Battle, or some particular Murder, are the Incitements to great Mischiefs. . . . These Heaps of Stone, as I have heard an old Highlander complain, continue to occasion the Revival of Animosities that had their beginning perhaps Hundreds of Years before any of the Parties accused were Born. . . ."

This description, belonging to the last years of clan history, explains the part played by the Highlanders in the Kingdom of Scotland. The unquestioning obedience of his clan assured a discontented chief of support in treasonable negotiations with Lowland barons or with England, or in any other defiance of the royal power, while he could equally rely

upon it when he marched to join the national army of Scotland. But the clan-spirit, and the clan-tradition, fostered not only devotion to a chief but hatred to other clans, and these animosities prevented the possibility of the creation of a Highland League. Even in the greatest Highland revolt, the march of the Lord of the Isles to Harlaw in 1411, the Islanders had to meet Highland as well as Lowland opposition, and disloyalty in the Highlands, after the time of William the Lion, never proved anything like so formidable a menace to the Crown as did the ambition of the House of Douglas. The English observer from whom we have quoted speaks of Highland hostility to the Lowlanders in the eighteenth century, and this popular and general dislike should be distinguished from the earlier intrigues of Lords of the Isles with the Douglases. As the English tongue and English customs more and more pervaded the land between the Moray Firth and the Forth, the rift between Highlander and Lowlander widened. The attempts of James IV, James V and James VI to introduce order into the Highlands intensified the growing animosity. The Highlanders resented the attempts made to suppress the feuds of the clans, for these feuds were at once the politics and the amusements of the Highlands.

Further, the central power made its appearance only to punish; it has been well remarked that the Highlands experienced only the vengeance and never the protection of the Law of Scotland. In the civil wars of the seventeenth century, the Highlanders were the submissive followers of their chiefs, and the attitude of the chiefs was largely determined by the fact that Presbyterianism was as yet unknown in the Highlands. They had little cause to love the House of Stuart, but the King was, at all events, likely to protect them from the ecclesiastical domination of Lowland Presbyterians. Roman Catholic and Episcopalian chiefs flocked to the standard of Montrose. His army was not solely composed of Highlanders, for he could rely with less uncertainty upon the Episcopal gentry of the Lowland north-east, and on the Royalist side a new bond was created between Highlander and Lowlander. The Covenanters, on the other hand, regarded "Montrose's Irish" with a hatred which scarcely discriminated between the Highlanders and Gaels from Ireland. The chiefs were able to appeal to various emotions among their people; the plunder of the south attracted the Highlander of 1645 as the plunder of Aberdeen had attracted the Islesman of 1411, and many ancient feuds were revived by a war in which

the chief of the hated Campbells was the protagonist of the Lowlanders. The great civil war, indeed, reversed the position of the Highland clans towards the Crown. James VI had looked upon the Campbells as his natural allies against the more distant clans, and had employed them against Macdonalds and Macgregors. His grandson, Charles II, looked on Argyll as his natural enemy, and brought down a " Highland host " to subdue the stern Presbyterians of the south-west; and when Dundee raised the standard for James II, his Highland army was largely composed of Macdonalds, Camerons, Macdonnells, and even Macgregors. The tradition of Highland devotion to the Stuarts, created in the seventeenth century, survived into the eighteenth; but the prominence of the Highlanders in the Fifteen and the Forty-Five has been somewhat exaggerated. When the Earl of Mar struck his feeble blow against the House of Hanover, his allies included Keiths, Hays, Ogilvies, Drummonds, and other great Lowland families, and neither the Murrays nor the Gordons can be strictly described as Highland clans. There was, of course, a considerable proportion of Highlanders. Mackintosh of Borlum achieved the one notable exploit of the Rising, and, besides Mackintoshes, there were Macgregors (though

Rob Roy fought for his own hand), Campbells who did not love Argyll, MacDonnells, Grants, Macleans, Stewarts, Macdougals and other men from the west. Thirty years later, Prince Charles Edward was joined by Macdonalds, Camerons, Stewarts of Appin, Macgregors, and Robertsons, but his whole army at Prestonpans did not exceed 2,500 men, and his subsequent reinforcements came rather from the north-east than from the Western Highlands, where the influence of Duncan Forbes of Culloden, the Lord President of the Court of Session, restrained many of the chiefs.

After the failure of the Forty-Five, the Government passed and enforced an act forbidding the Highlanders to bear arms or to wear tartan, plaids and kilts, and the bagpipe was declared to come under the category of arms or instruments of war. The hereditary jurisdictions were abolished, but their removal produced a greater effect in the Lowlands than in the Highlands, where the authority of the chief depended upon no legal sanction. Social and economic progress had a much greater share in the destruction of clan life than the abolition of the jurisdictions or even the disarming act, the efficacy of the provisions of which was secured by English garrisons. It was to such progress that the wisest observer of the time, Duncan

Forbes of Culloden, looked for the pacification of the Highlands.

"It is remarkable," he wrote, "that in some districts bordering on the Highlands, where within memory the inhabitants spoke the Irish Language, wore the Highland dress, and were accustomed to make use of Arms, upon the accidental introduction of industry, the Irish Language and Highland dress gave way to a sort of English, and Lowland Cloathing; the inhabitants took to the Plough in place of Weapons; and tho' disarmed by no Act of Parliament are as tame as their Low Country neighbours."

Forbes himself had, long before 1745, advocated the employment of Highlanders in the British Army, but he did not live to see the brilliant results of Pitt's adoption of his neglected suggestion, to witness the removal of the restriction upon Highland dress in 1782, or to decide upon "the manner of giving a free course to the Laws in that wild Country." The peace for which he had striven brought with it consequences which he would have lamented. When Dr. Johnson visited the Highlands in 1773 he found that "by a strict administration of the laws, since the laws have been introduced into the Highlands ...

cattle are now driven, and passengers travel without danger, fear, or molestation," but he foresaw the degeneration of the chiefs "from patriarchal rulers to rapacious landlords," and he observed that "there seems now to be through the Highlands a general discontent." Rapacious Highland chiefs had not been unknown before the Forty-Five; but the history of the end of the eighteenth and the beginning of the nineteenth century, when the Highlands were depopulated for the sake of gain from sheep farms, forms a sad justification of Dr. Johnson's prophecy. It was as good a Tory as Johnson himself who, in the introduction to the *Legend of Montrose*, made Sergeant More McAlpin choose Gandercleugh as the abode of his old age because of the desolation of his home.

He had hoped to enjoy his savings "in the wild Highland glen, in which when a boy he had herded black cattle and goats, ere the roll of the drum had made him cock his bonnet an inch higher, and follow its music for nearly forty years. To his recollection, this retired spot was unparalleled in beauty by the richest scenes he had visited in his wanderings. Even the Happy Valley of Rasselas would have sunk into nothing upon the comparison. He came—he revisited the loved scene; it was but a sterile glen, sur-

rounded with rude crags, and traversed by a northern torrent. This was not the worst. The fires had been quenched upon thirty hearths—of the cottage of his fathers he could distinguish but a few rude stones—the language was almost extinguished—the ancient race from which he boasted his descent had found a refuge beyond the Atlantic. One southland farmer, three grey-plaided shepherds, and six dogs now tenanted the whole glen, which in his youth had maintained, in content, if not in competence, upward of two hundred inhabitants. . . . What added to Sergeant More McAlpin's distress upon the occasion was, that the chief by whom this change had been effected, was, by tradition and common opinion, held to represent the ancient leaders and fathers of the expelled fugitives; and it had hitherto been one of Sergeant More's principal subjects of pride to prove, by genealogical deduction, in what degree of kindred he stood to this personage. A woful change was now wrought in his sentiments towards him. 'I cannot curse him,' he said, 'I will not curse him; he is the descendant and representative of my fathers. But never shall mortal man hear me name his name again.' "

Dr. Johnson found good landlords in the Highlands, and good landlords there con-

tinued to be, but the oppression which Scott pictures in the passage we have quoted entirely changed the face of the land. In other ways the Highlands of Scotland between the year 1744 and the present day have undergone a process of anglicization similar to that which affected the eastern counties and the south-west in the Middle Ages. A considerable advance in this direction had already been made by the date of Dr. Johnson's visit—

"There was perhaps never any change of national manners so quick, so great, and so general, as that which has operated in the Highlands, by the last conquest, and the subsequent laws. We came thither too late to see what we expected—a people of peculiar appearance, and a system of antiquated life. The clans retain little now of their original character; their ferocity of temper is softened, their military ardour is extinguished, their dignity of independence is depressed, their contempt of government subdued, and their reverence for their chief abated. Of what they had before the late conquest of their country, there remain only their language and their poverty. Their language is attacked on every side. Schools are erected in which English only is taught, and there were lately some who

thought it reasonable to refuse them a version of the holy scriptures, that they might have no monument of their mother tongue."

In point of fact, the language has survived longer than the customs and more generally than the kilt. The Church, which in the Middle Ages was the foe of the Gaelic tongue, has been, in the nineteenth century, its preserver. The very severance of the bond between chieftain and clan has helped to perpetuate the ancient language, for the people no longer adopt the speech of their chief, as, in earlier days, the Celt of Moray or of Forfar adopted the tongue spoken by his new Anglo-Norman lord, or learned by the great men of his own race at the court of David I or William the Lion. Above all, there has been in the Highlands no such development of trade and commerce, and no such growth of burghal life as established the English speech on the east coast. An antiquarian revival and an increasing interest in the national history and in the ancient Scottish tongue has, of late years, done something to preserve the Gaelic speech and to revive the ancient and honourable tradition of the unity of the clan.

CHAPTER IV

THE CHURCH

THE importance of the ecclesiastical element in Scottish history since the Reformation has never failed to be recognized, and its supreme and indisputable significance has tended to obscure the great part played by the Church in Mediæval Scotland. A history of the Middle Ages which deals only casually with the Christian Church in any European country would lack a sense of proportion to no less a degree than a history of seventeenth-century Scotland which relegated to a footnote the National Covenant or the Solemn League. Alike in the social, the intellectual, the economic, and the political life of the nation, the Mediæval Church was a moulding and a compelling force, as truly as in the unrecorded realm of moral and spiritual influence. The final victory of the Roman over the Celtic Church which followed the marriage of Malcolm Canmore and St. Margaret greatly increased the area of ecclesiastical activities. The loose organization of the Scottish Church

before the twelfth century prevented it from acquiring much political influence, and its comparative isolation kept it out of the intellectual and religious life of Europe. We know little about it, and what we do know has given rise to many controversies. Its best work was done as a missionary church; in later years it did not escape the inevitable deterioration and it had its reformers. It has left few traces in literature, although its monks wrote much that has been lost; of its "abstract and unemotional art" we possess some beautiful examples which merit the praise of the twelfth-century chronicler, Giraldus Cambrensis, for its "fine and closely wrought lines, twisted and interwoven in intricate knots." After the time of its great founder, St. Columba, it seems to have exercised little influence in national affairs, but the persistence of its individual life indicates that it possessed a real hold upon the people of Scotland. It survived the crushing blow inflicted by the establishment of Roman authority in the north of England at the Synod of Whitby in 664, and in spite of the efforts made in the beginning of the eighth century, by Nectan, King of the Picts, to compel conformity to the Roman usage, St. Margaret, in the end of the eleventh century, found errors in the observance of Lent, neglect

of the Sunday holy day, and "masses in I known not what barbarous rite." Even after the religious revolution which the English Queen inaugurated, the Culdees, a body of Celtic ecclesiastics, can be traced down to the fourteenth century.

But while Celtic Christianity continued for over two hundred years to maintain, here and there, a precarious existence in small dissenting or non-conforming communities of ecclesiastics, the Celtic Church made no effective struggle against the anglicization and Romanization of the dynasty of Malcolm Canmore. Its absence of organization made it an easy prey to the disciplined and united forces of Rome, and even if it had possessed more possibility of cohesion, the times were unpropitious for such a struggle. The influences of the Court, the advance of English commerce, the power of the new Anglo-Norman families must, in any case, have rendered the Celtic cause hopeless. Nor had the Celtic ecclesiastics any great principle or doctrine for which to fight. They were not early Presbyterians or Protestants, and it would not be easy to show that they repudiated the theory of the Roman obedience. Their tribal customs were dear to them and they liked their own way of life; but tribal custom was, in other respects, yielding before a more

advanced civilization, and the tendency of the time was towards an organized religion. A diocesan system and a parochial system were introduced into Scotland, and by the end of the reign of David I almost all the mediæval sees had been founded. Wealth accompanied organization. Kings and barons vied with each other in endowing bishoprics and monasteries. Noble cathedrals and stately religious houses began to cover the land. Colonies of English churchmen carried the new English ways into remote corners of the land. The first bishops of St. Andrews were Turgot, prior of Durham, Eadmer, a monk of Canterbury, famous as an historian, and Robert, the prior of a new English monastery at Scone, and the records of almost every diocese show the English nationality of the early bishops. Even in the rare instances when a new bishop bore a Celtic name, we may be sure that he was a Scotsman who had associated himself with the new ecclesiastical influences, and who, unlike the native clergy found by Queen Margaret in Scotland, could speak the English tongue. The foundation of the new monasteries was begun under Malcolm Canmore, and it progressed under Alexander I and David I. They were the daughter houses of English or French monasteries, and the first English

monks trained their successors in English ways. Their influence was not confined to the clergy, for bishop and abbot were territorial magnates, although no prelate in Scotland ever possessed anything like the importance of the Bishop of Durham in the north of England.

The mother-tongue of Scotland was associated with the Celtic customs which it was the duty and the interest of these English ecclesiastics to suppress, and they were the willing allies of royal efforts at anglicization. Yet the history of the Scottish dioceses marks not only the extent but also the limits of the anglicizing process, and indicates the reality and the persistence of national feeling. The sons of Malcolm Canmore and Margaret were English in their tastes, their sympathies, and their policy, but they realized the necessity of repudiating any English authority over the Church. When Turgot was made bishop of St. Andrews, he wished to be consecrated by the Archbishop of York, who claimed jurisdiction over Scotland. King Alexander I permitted a compromise of the ordinary mediæval kind, by which the consecration took place "saving the rights both of the Church of St. Andrews and of the Church of York," but when Turgot showed that he regarded the jurisdiction of the Archbishop

of York as a real thing, he had to go into exile, and Alexander, after his death, turned to the rival see of Canterbury, which also claimed jurisdiction over Scotland. Eadmer was duly elected and invested, but before his consecration he showed that he wished to make St. Andrews dependent on Canterbury, and, like Turgot, he returned to England. Robert, the first bishop who administered the see, was consecrated by the Archbishop of York, with the same reservation as had been made in the case of Turgot.

The difficulty about consecration was removed when Scotland came to have a number of bishops of its own, but the struggle for ecclesiastical independence went on. The obvious solution was the creation of a Metropolitan in Scotland but, though both David I and Malcolm IV asked that this step should be taken, the Papacy declined to authorize it. When William the Lion, after his capture, had to do homage to Henry II of England at Falaise in 1174, the treaty admitted the subordination of the Scottish Church to England but was not explicit as to the rival claims of Canterbury and York. In such circumstances devotion to the Papacy might seem to be the natural way of salvation from English control, but it was actually through a quarrel with Rome that Scottish ecclesiastical independence

was achieved. William the Lion, in the course of the fifteen years of humiliation which followed the Treaty of Falaise, was bold enough to defy so strong a Pope as Alexander III, on the question of the succession to the bishopric of St. Andrews. William was the friend of Becket, in whose honour he founded the magnificent Abbey of Arbroath; but, while he admired ultramontane principles in England, he disliked them in his own realm, and he engaged in a struggle very like that which was soon to be waged between John and Innocent III. The stern Alexander III, who had humbled the Emperor Frederick Barbarossa and Henry II of England, showed no sign of yielding to the pretensions of William the Lion, and he commissioned the Archbishop of York, as Papal legate, to place Scotland under an Interdict. Fortune, which was often cruel to William, favoured him in this struggle, for, soon after the dread sentence had been pronounced, Pope and Archbishop died. Lucius III negotiated a compromise and, in 1188, Clement III decided that "the Church of Scotland is a daughter of Rome by special grace, and immediately subject to her, and that none should henceforth be capable of holding the office of legate except a Scottish subject or a member of the Sacred College of Cardinals." Legates were very unpopular in

Scotland; the King disliked their interference and the clergy and the people regarded them as tax-gatherers for the Pope. In a country which possessed no metropolitan, the presence of a legate was frequently required for the holding of ecclesiastical councils, but in 1225 Honorius III gave the Scottish bishops permission to call provincial councils and to elect one of their number as president, and as conservator of their privileges. It is probable that the immediate object of the Pope was the promulgation of the decisions of the Vatican Council of 1215, which would have a better chance of acceptance without the intervention of a legate, but the Scottish clergy took full advantage of the privilege and, on one occasion, at all events, passed ordinances which were condemned as prejudicial to the Roman See and which led to a quarrel between James I and the Papacy. It was not until 1472 that, in unhappy circumstances, Sixtus IV made St. Andrews a metropolitan see. A similar dignity was conferred upon Glasgow in 1492.

By the outbreak of the War of Independence, the Scottish Church had become thoroughly national, and the existence of their provincial councils seems to have given the clergy a unity and cohesion which enabled them to defy not only England but also Rome.

English observers were impressed by the zeal of the Scottish Church for the national cause, and looked upon the Scots as Cromwell regarded the Irish, as a people who "headily run on after the councels of their prelates and clergy." The attitude of the clergy received, at first, cordial support from Rome, and, in the course of his invasion of Scotland in 1300, Edward I received a letter from Boniface VIII repudiating the English claims, and asserting that the kingdom of Scotland was part of the patrimony of the Church, with no subjection save such as all kingdoms owe to the Vicar of Christ. But English diplomacy soon brought about a revolution in the Papal policy, and in 1302 Boniface reproved the Scottish clergy for their resistance to the English. The murder of the Comyn in 1306 soon placed the patriotic churchmen in the position of acknowledging an excommunicated sovereign, but the Bishop of Glasgow had already absolved Bruce from the blood-guiltiness and with two other Scottish bishops had helped to crown him. The Papal condemnation did not affect the attitude of the clergy, some of whom preached a Holy War against England, and in 1310 they took, as a body, a solemn oath of fealty. Clerical oaths were not more trustworthy than those of laymen, and some of the greater clergy have

a record of tergiversation unsurpassed by that of any of the barons, but such was the custom of the times, and the Church deserves the gratitude of Scotland for its strenuous and persistent support of the national cause. The clerical defiance of the policy of Rome did not end with Bannockburn, for nearly ten years elapsed before the Papacy acknowledged the King of Scots. Papal letters addressed to "the noble Robert de Bruce at present governing the Kingdom of Scotland" were refused by the King on the ground that the absence of any royal title showed that they could not be intended for him, and there were many Bruces in Scotland. Papal envoys were maltreated; a Franciscan who in 1318 brought fresh letters of excommunication had to flee to Berwick, naked and distraught. A Bull of Excommunication followed in 1320, and English bishops were ordered to curse the Bruce and his followers every Sunday and Saint's day. The Scottish Parliament remonstrated, and in 1323 John XXII recognized the fact of Bruce's sovereignty. For over twenty years the Scottish clergy had tenaciously pursued a policy condemned at Rome.

Between the reign of Robert I and the Reformation, the Church took comparatively little part in national politics. The propor-

tion of clerical Chancellors of the kingdom of Scotland is much smaller than in England, and only one great prelate exercised a commanding influence—the good Bishop Kennedy of St. Andrews, who guarded the throne of the young James II and afterwards of the young James III, and who reconciled the House of Stewart with the House of York. In the reigns of James III and James IV, William Elphinstone, Bishop of Aberdeen, had some opportunities of showing that he was a statesman as well as a scholar and a saint, but Kennedy's is the only name in Scottish history which ranks with those of Becket or Langton or Wykeham or Beaufort in the mediæval history of England. In the more purely official work of the kingdom, in legal and financial administration, clerics took, of necessity, a large share, and it is remarkable and surprising that clerical influence in high politics should have been so slight. Whatever the explanation may be, the Scottish kings cannot have had any suspicions of the loyalty of the great churchmen. If the Church in Scotland provided the sovereigns with very few great ministers, its bishops were never concerned in the baronial conspiracies which threatened the stability of the throne. It may be that the barons were too strong to allow the Church to

meddle in affairs of state (a large proportion of which in so troubled a land were purely baronial questions), and it is possible that the great wealth of the Church rendered its prelates inactive, though this was certainly not the experience of the kings of England.

That the Church in Scotland degenerated rapidly and persistently after the War of Independence is, unfortunately, beyond the possibility of dispute. The fourteenth and fifteenth centuries are not a happy period of Church history anywhere in Europe, and Scottish ecclesiastical scandals might easily be paralleled elsewhere. Contemporary observers had no hesitation in connecting this degeneration with the great wealth of bishoprics and religious houses, and the Scottish evidence is specially insistent on this point. "The wanton daughter ended by suffocating her mother," is John Major's comment on the spirit of piety which produced monastic wealth, and it was no reformer but a pious Archdeacon of Moray (Bellenden) who wrote, about 1533, that ecclesiastical endowments had brought "no less damage of common weal than of perdition of good religion." The Church possessed too generous a share of the wealth of a poor country. In the days of the munificent piety of David I, ecclesiastical wealth could easily be defended from the

standpoint of the economist; by the sixteenth century neither economist nor moralist could approve of the use to which it was put. Even churchmen agreed that the "sair sanct for the Crown" had been more pious than wise, and Cardinal Sermonetta told Paul IV in 1556 that the over-great revenues of the monks seemed to be the cause of their unbridled licence; the Church, he said, possessed almost one half of the whole revenue of the kingdom. That there were good and holy men in the Scottish Church in its worst days no one will wish to deny, but apart altogether from the writings of satirists and the denunciation of reformers, the evidence from ecclesiastical sources is overwhelming as regards its general corruption. The Provincial Council held at Edinburgh in 1549, stated frankly that the growth of heresies in Scotland arose from "the corruptness of morals and profane lewdness of life in churchmen of almost all ranks, together with crass ignorance of literature and of all the liberal arts." Ten years earlier, Archibald Hay, a kinsman of Cardinal Beaton, a pious and scholarly priest who became Principal of St. Mary's College at St. Andrews, warned Beaton of the results of ordaining men who "hardly know the order of the alphabet." Priests, he said, "come to that heavenly table who have not

slept off yesterday's debauch. . . . I judge it to be intolerable that an entrance to the Church lies open to all without selection, and that some of the entrants bring with them utter ignorance, others a false pretence of knowledge, some a mind corrupted by the greatest sins, and trained to commit all the most scandalous excesses. . . . While these charges cannot be made against all, yet I wish it to be understood that they apply to very many." [1]

If men like Archibald Hay had been in positions of influence and authority, the ecclesiastical history of Scotland might have been different. But promotion in the Church had too long been the perquisite of younger members of great families or of illegitimate scions of the Royal House. The Scottish kings had succeeded in suppressing the sale of Scottish benefices at Rome, but they made no good use of the freedom of elections to bishoprics. In 1532, at the age of twenty-one, James V asked from Clement VII dispensations for three illegitimate sons to be capable of holding "till they are of mature years, any and every number and kind of priesthoods, secular or regular, of any order, titular or commendatory, even two, three,

[1] Quoted in Dr. Hay Fleming's *Reformation in Scotland*, chap. ii.

four, or more incompatible offices . . . and when they shall have reached the twentieth year of their age, they may be capable of being lawfully promoted to dignities archiepiscopal, primatial, and episcopal." An illegitimate son of James IV had been Archbishop of St. Andrews when he fell at Flodden about the age of twenty, and the three sons of whom James V wrote to Clement VII soon enjoyed among them the abbeys of Kelso, Melrose, and Holyrood, and the priory of St. Andrews. Noble families were similarly anxious to find ecclesiastical provision for their cadets. When the Chapter of Aberdeen met after the death of the good Bishop Elphinstone in 1514, to elect his successor, "the Earl of Huntly unexpectedly appeared in the meeting of the canons, entreating them to appoint as bishop-elect his relation, Alexander Gordon, chanter of Moray." The other candidates, one of whom, a brother of the Archbishop of St. Andrews, was regarded with favour at Rome, were passed by, and the Chapter obediently submitted Gordon's name to the Holy See. Some thirty years later, another Gordon was Bishop of Aberdeen, and when his chapter urged him to restrain the incontinence of the clergy of the diocese, they were compelled to remind him that it was necessary for him to show a good example "in special in re-

moving the gentlewomen by [because of] whom he is greatly slandered." Gordon, like Patrick Hepburn, Bishop of Moray, William Chisholm, Bishop of Dunblane, and others of the Scottish episcopate, including Beaton, were men of evil life, and it was difficult for them to attempt an internal reformation.

The condition of the Church, which was certainly much worse than in England, goes far to explain the vehemence and the violence of the Scottish Reformation. In Scotland, as in England, the existence of heresy can be traced throughout the fifteenth century. Even in the fourteenth we find references to heresy, which the kings of Scotland were to swear to exterminate, and somewhere about the end of that century, the law enjoined that heretics ought to be burned. In 1407, James Resby, an English Wycliffite, was burned at Perth, and a Bohemian physician, Paul Crawar, suffered at St. Andrews in 1433. Lollardy was not suppressed by these persecutions, and in 1494 thirty Lollards from Kyle, the central district of Ayrshire, were accused of heresy in the presence of James IV, who saved them from the stake. A Scottish version of Wycliffe's Bible, written early in the reign of James V (*c.* 1520) by an Ayrshire Lollard, was discovered among the Auchinleck MSS. in 1893, and was edited by the late

Dr. T. G. Law for the Scottish Text Society. Its existence is interesting from an historical as well as from a linguistic standpoint, but there is no reason to believe that it was ever circulated, and it was Tyndale's New Testament that became the classic of the Scottish Reformation. Copies of Tyndale's Testament were to be found in Scotland by 1526, and as early as 1525 an Act of Parliament was passed to prohibit the introduction of "any books or works of the great heretic Luther." In 1528, Patrick Hamilton, a great-grandson of James II and a member of the great House of Hamilton, was burned at St. Andrews as a Lutheran. "Whosoever believeth or thinketh to be saved by his works," he had said, "denieth that Christ is his Saviour. . . . Thou must do good works, but beware thou do them not to deserve any good through them." Hamilton's martyrdom proved to be the beginning of the downfall of the Roman Church in Scotland. His cruel death, unusually cruel in its circumstances, arrested public attention, and Beaton is said to have been warned that if he was to burn any more heretics, it ought to be done in underground cellars, for "the reik [smoke] of Maister Patrik Hammyltoun has infected as many as it blew upoun." A few others suffered—about twenty in all—between the death of

Hamilton and the martyrdom of George Wishart at St. Andrews on the 1st of March, 1546. In view of the spread of the reformed doctrines during these years (and the English invaders are said to have brought with them cartloads of Bibles) the number of Scottish martyrs is remarkably small, and they did not all die the fiery death. Some were hanged and others, like Wishart himself, were strangled before being burned at the stake. The last prelates of the pre-Reformation Church in Scotland might well have been suspected, by men more virtuous and pious than themselves, of lukewarmness in the repression of heresy. The death of Wishart was followed by the first act of retaliation on the part of the Reformers—the capture of the castle of St. Andrews and the murder of Cardinal Beaton—and with this event (May 1546) the second stage of the Reformation begins. Wishart himself represented a change from the attitude of Patrick Hamilton, for Hamilton was a Lutheran, while Wishart had lived in Switzerland and adopted the tenets of Calvin, and Hamilton had hoped to reform the Church while Wishart aimed at the introduction of a new organization.

Within some fourteen years the new system had sprung into existence. The garrison which defended the castle of St. Andrews was

joined, soon after the murder of the Cardinal, by John Knox, a priest who had been converted to the reformed doctrines. On the 31st of July, 1547, the castle was surrendered to a French fleet. For nineteen months Knox endured the life of a French galley-slave. His release followed the accession of the Protestant Edward VI to the English throne, and for five years, from the beginning of 1549, Knox lived in England. The Book of Common Prayer retains in the " Black Rubric " traces of his influence. Nine months after the accession of Mary Tudor, he left England; if he had accepted the bishopric offered him by her brother, he would probably have shared the fate of Hooper, Ridley, and Latimer. For five years he lived on the Continent, and the Lutheranism of his earlier views was considerably modified by a close association with Calvin, whose disciple he became. In the course of years spent at Frankfort, Geneva, and Dieppe, he paid one visit to Scotland. The time which elapsed between the capture of the castle of St. Andrews in the summer of 1547 and Knox's first return in the autumn of 1555 had witnessed a rapid advance of Protestantism. Beaton's successor as Archbishop of St. Andrews was a Hamilton, and therefore no friend to the Queen-Regent or to her daughter, whose throne he would

gladly have seen pass to the next heirs. Reform of the Church from within had definitely failed; exiles from England were spreading the Protestant faith. Knox was allowed to preach freely in various parts of Scotland, and he addressed a letter to the Queen-Mother, whom he described as "a Princesse so honorable, endewed with wisdome and graces singularly." Mary of Guise was not likely to accept his view that "the religion which this day men defend by fire and sword is a cup envenomed," but she made no attempt to arrest him. "I cannot wonder enough," he wrote with both courage and candour, "that occasion is offered to me (a worm most wretched) to recite these things at this present. For I have looked rather for the sentence of death than to have written to your Grace in these last and manifest wicked days." Soon after writing this letter, Knox was recalled to Geneva, and he was permitted to leave Scotland in safety. His visit indicates the weakness of the Roman Church and it did much to increase the number of his followers. By the date of his final return in May 1557, Scottish Protestantism was on the verge of its great victory. In the end of the year 1559, the barons had given a new association to the bands or bonds which linked together rebellious nobles against the

Crown. The Lords of the Congregation entered into a covenant "to maintain, set forward and establish the most blessed word of God and his Congregation," and they defied "all wicked power that does intend tyranny or trouble against the foresaid congregation." The authorities were alarmed, and they committed a crime which was also a blunder. Since the death of Wishart, twelve years before, the blood of no Protestant martyr had been shed, but in April 1558 an aged man, Walter Mill, an ex-priest, was burned at St. Andrews. Civil war seemed inevitable, but its outbreak was postponed for a year. On the 2nd of May, 1559, Knox returned to Scotland, and on the 11th of the same month he preached his famous sermon at Perth which led to the destruction of the monasteries, the prelude to what Professor Hume Brown has termed "the iconoclastic frenzy of 1560."

The war which followed is memorable not only in ecclesiastical but also in political history, for it severed the ancient ties which bound Scotland to France. In the minority of Mary Stuart, when Henry VIII and Protector Somerset were engaged in an attempt to conquer Scotland, the French had saved the Scots from a grave danger, and the Franco-Scottish alliance seemed to be more

firmly cemented than ever. But the French troops who came to the help of the Regent roused a feeling of national animosity that widened the breach which the progress of the Reformation was creating. French and Scots had never liked each other : the alliance was founded solely on a real, or supposed, common interest, and on a common hatred of England. When, in 1553, Mary Tudor succeeded Edward VI in England, and, in 1554, Mary of Guise succeeded the Earl of Arran as Regent of Scotland, an Anglo-Scottish alliance made by these two ladies in the interests of Roman Catholicism might have diverted the Anglophile sentiments of the Scottish Protestants and so have changed the current of history, but there could be no such co-operation because the Spanish marriage by Mary of England made her antagonistic to France. The growing dependence of Mary of Guise upon the French rendered it necessary for the Parliament of 1555 to pass an Act against slanderers of the Queen-Regent and of the French troops who had been sent to Scotland "for the common weal and suppressing the auld enemy." There were outbursts of popular violence against the French troops at Musselburgh, at Broughty Ferry, and at Newbattle. The marriage of Queen Mary to Francis the Dauphin, in April 1558, was

celebrated with rejoicings in Scotland, but the event rather injured than helped the French cause. Mary conferred upon Francis the "Crown Matrimonial," which gave him the title of King of Scotland, and so seemed to bring the country openly under the rule of France. There was also a suspicion, which we now know to have been well founded, that the agreements signed by the girl-Queen on her marriage formed a danger to the independence of Scotland. Mary had, in fact, been induced to sign documents which transferred her rights, in the event of her decease without issue, to the King of France and his heirs, a stipulation which directly contravened the assurances given by Henry II to the Scottish Parliament.

When the Lords of the Congregation took up arms, "Scotland a province of France" was their first battle-cry. In October 1559, assured of English help, they declared that the Queen-Regent was deposed and did not scruple to add—what, of course, was untrue—that her deposition had the sanction of Francis and Mary. They defended their action in a Latin manifesto addressed to the princes of Christendom, and it is important to notice that, in this document, they scarcely referred to religion, but laid stress upon the "insolence and intolerable oppression of the

French." But religion was the real question at issue, and religion had so far overcome the sentiment of nationality that the Scottish Protestants humbly and earnestly begged Elizabeth to "accept the realm of Scotland into her protection and maintenance only for preservation of them in their old freedoms and liberties and from conquest, during the time the marriage shall continue between the Queen of Scots and the French King and one year after." Further, they were prepared to bring about an Anglo-Scottish union at once by the recognition of the Earl of Arran (*cf.* Table on p. 63) as King of Scotland, and by his marriage to Elizabeth, a suggestion which, for many reasons, the Queen of England was unable to accept. Meanwhile, English aid enabled the Lords of the Congregation to besiege Leith, and the Queen Regent took refuge in Edinburgh Castle. The English attack on Leith was unsuccessful, and the dangerous illness of the Queen-Mother led to a truce by which all foreign soldiers, English and French alike, were to leave Scotland. On the 11th of June, 1560, the Queen-Regent died, and the Protestants were free to carry out their re-organization of the Church in Scotland.

The Scottish Parliament met in August 1560 and invited the Protestant preachers

to produce a summary of the doctrine which was henceforth to be accepted in Scotland. Within a few days, Knox and his colleagues produced the Confession of Faith which was to govern the doctrine of the Church of Scotland for nearly a century. The Confession was largely based upon the "Institutes" of Calvin, and it contains his mystical theory of the two Sacraments of Baptism and the Lord's Supper, as distinguished from the view of Zwingli that they are purely commemorative rites. The Confession describes the Catholic and Universal Kirk as "one Company and Multitude of Men chosen by God, who rightly worship and embrace Him by true faith in Christ Jesus." This Kirk is described as "invisible and known only to God," but one of its distinguishing characteristics is "ecclesiastical discipline rightly ministered." The definition of right ecclesiastical discipline was to be the source of numberless disputes, and the early Reformers were not unanimous about it. They agreed, from the first, in refusing the view that Bishops are an order superior by Divine Right to Presbyters, but they did not assert that essential parity or equality of the clergy which was to be the central tenet of the Presbyterian system. The "First Book of Discipline," though it was never legalized either by the Church or

by the State, is interesting as embodying both the opinions of John Knox and the early practice of the Reformed Church. It recognizes ministers or doctors, elders and deacons, as the necessary officers of the Church, and the government of the Church was, from the first, in the hands of an Assembly of Ministers and Commissioners from individual congregations, meeting as "the Universal Kirk of Scotland." But, besides the ordinary minister, the Book of Discipline instituted the office of Superintendent, and divided the country into twelve provinces, corresponding roughly to the old dioceses, over each of which was placed a Superintendent entrusted with the administrative duties of a Bishop. Professor Cooper[1] has shown that there was for some years a tendency towards the development of a modified form of Episcopacy. Three of the old Roman bishops became Superintendents, and Queen Mary conferred the See of the Isles upon another Superintendent. Queen Mary had never sanctioned the Acts of the Parliament of 1560, but, after her fall in 1567, they were legalized, and the Parliament, acting in accordance with the wish of the Church, gave legal authority to the Superintendents. One of the most prominent Re-

[1] Historical Papers submitted to the Christian Unity Association of Scotland by its Special Committee, 1914.

formers, John Erskine of Dun, the friend of Wishart, expressed his opinion that "Superintendent and Bishop were all one," and in an Assembly or Convention of the Church which met at Leith in 1572, it was agreed to retain the title of Archbishops and Bishops and to appoint an Assembly or Chapter of learned ministers at every Cathedral seat. The jurisdiction of Bishops and Archbishops was to be, for the present, the same as that assigned to Superintendents by the Book of Discipline; they were to be subject to the Assembly in all spiritual matters and to be advised by at least six of their Chapter in the admission of ministers. These steps were not taken without opposition, but John Knox, who had never regarded the administrative office of a bishop as unscriptural, urged, just before his death, that "all bishoprics vacant may be presented and qualified persons nominate thereto—according to the order taken at Leith."

The party in the Reformed Church who carried these measures found themselves, almost at once, in a minority. Knox's successor in the leadership of the Protestants, Andrew Melville, returned to Scotland in 1574, and taught the doctrine of the divine right of Presbytery. He held that Episcopacy is not only not expedient but not lawful, in any form, in a Christian Church, all whose

ministers must be on a footing of equality. This view, though it had not been dominant, had been held since the Reformation. Its advocacy by so able a man as Melville soon made converts, and in 1580 the Assembly described the "pretended office of bishop" as unlawful, and ordered all bishops to demit their offices and to cease from ordinary ministerial functions until they were re-admitted to them by the Assembly. The decision was not unanimous, but the triumph of the Melvillian party was complete, and in the following year the new Presbyterian system was embodied in the Second Book of Discipline, which defined the office of a bishop as that of a minister of a particular congregation and made no provision for superintendent, whose duties were to be performed by the Assemblies of the Church. The hierarchy of Assemblies, the distinguishing note of Presbyterianism, was, however, not fully developed in the Second Book of Discipline, which mentions only the parochial assembly or Kirk Session, the provincial assembly or Provincial Synod, and the national or General Assembly. The system was not complete without the court which is intermediate between the parochial and the provincial assembly, but this court was already in process of formation, and to it were entrusted the laying-on of hands of

the ministry in ordination and the supervision of a district much smaller than a diocese. This court was known as the classical assembly, that is, the assembly of a *classis* or division; it was the centre of the whole Presbyterian system and it attracted to itself the name of "the Presbytery." Its origin may be found in the weekly "Exercise" recommended by the First Book of Discipline, a meeting of the ministers and people of a district for prayer and reading of the Scriptures, similar to the "prophesyings" of the English Puritans, which gave so much trouble to Queen Elizabeth and her advisers. In 1579, the Assembly declared that the weekly Exercise might be regarded as a Presbytery, and the name "Exercise" continued to be used for the classical assembly till late in the seventeenth century. In 1581, the year after the publication of the Second Book of Discipline, an arrangement of Presbyteries, each including from some twenty to thirty parishes, was actually made.

Thus, by the date when James VI commenced his active rule, the government of the Kirk of Scotland was a fourfold organization of assemblies—the Kirk Session, the Presbytery, the Provincial Synod, and the General Assembly. This careful distribution of authority made the Reformed Church the

greatest power in the land. Its courts were really representative and therefore carried a moral weight which did not belong to the Parliament. It claimed the old ecclesiastical jurisdiction in all questions of morality, religion, education, and marriage. It imprisoned offenders, and its sentence of the Greater Excommunication, based on the power of binding and loosing, involved the cessation of human intercourse and the forfeiture of legal rights. Its judicial powers were used impartially and relentlessly: great men as well as small quailed before these stern judges. The power of the Church was held to be dependent upon no legal sanction. The Second Book of Discipline differed from the First, not only in its definite repudiation even of a modified Episcopacy and in its insistence on the essential parity of all ministers, but also in its advanced views about the spiritual independence of the Church. These views may be implicit in the First Book, and they were, to some extent, acted upon by Knox, who was not consistent in his statements about the relations between the Church and the Civil Magistrate. But the Second Book taught explicitly that the ecclesiastical authority, the Power of the Keys, is distinct in its nature from the Civil Power, and comes directly from God to the Church

which has no "temporal Head on earth, but only Christ, the only spiritual King and Governor of His Kirk." This theory was carried into practice so thoroughly that the ministers claimed to be responsible for what they said in the pulpit to the Church Courts and to them alone. Such a demand, made when religion was the politics of the day, and when ecclesiastical and religious considerations affected every question of policy, both domestic and foreign, could not have been admitted by any civil government, and was especially offensive to King James, who waged, with varying results, an almost continuous struggle against it.

The Second Book of Discipline, though sanctioned by the General Assembly of the Church, was not confirmed by the Parliament, and James, in 1581, challenged its supporters by appointing a titular Archbishop of Glasgow. In the controversy which followed, each party took a false step. The Church, instead of fighting its battle on the question of the appointment of an ecclesiastical dignitary without any ecclesiastical authorization, chose to bring against the royal nominee charges which could not be proved and some of which seem ridiculous to-day. The King, on his part, attempted to coerce the Church Courts, and thus raised the issue of spiritual freedom,

which the ecclesiastical leaders had been unwise enough to avoid. It was a drawn battle, for James almost immediately fell into the hands of a body of conspirators who seized his person in what is known as the Raid of Ruthven, and governed for a short time with the approval of the Church. When the King recovered his power in 1584, he got Parliament to pass a series of measures which made the King supreme in all causes, over all persons, and over all Estates, as well Spiritual as Temporal. These "Black Acts," as they were called by the Presbyterian party, provided for the appointment of bishops and for the exercise of episcopal jurisdiction; they prohibited any assemblies and conventions from meeting without the royal assent; and they made it treason for a minister to preach on political and public questions. It must be remembered that only a few years had passed since the defeat of the party in the Church which wished for the establishment of a modified episcopacy, and the significance of the Black Acts consists not merely in the fact that they defined the royal policy, but also in their making definite the division in the Church itself and re-creating the episcopal party, which it was henceforth the King's object to strengthen by the inducements of place and power. In 1586 James succeeded

in persuading an Assembly to approve once more of a form of episcopacy, in which the overseers or bishops were to be subject to the courts of the Church.

The Black Acts of 1584 mark only the beginning of the struggle. Fortune soon favoured the Church, and in 1592 James had to assent to the "Golden Acts" which gave a legal status to the Church Courts and repealed the legislation of 1584 in so far as it contravened the freedom of the Church. But, a few years later, he won a complete victory. In the course of the series of tortuous intrigues which formed his foreign policy, the King had involved himself with two Roman Catholic noblemen, the Earls of Huntly and Erroll, who were in negotiations with Spain for an invasion of England. In the summer of 1596, the two Earls, who had been banished, returned to Scotland, and James was suspected of conniving at their return. A meeting of ministers was held at Cupar, in Fife, to discuss the situation, and Andrew Melville and some others were sent to remonstrate personally with James, who was at Falkland. It was on this occasion that Melville gave utterance to the speech that is most generally associated with his name. James denied the right of the ministers to meet without his consent. Melville interrupted his nephew,

James Melville, who was about to reply, seized the King by the sleeve, calling him "God's sillie (weak) vassal," and in the course of a long harangue, insisted, as he had done more than once before in the royal presence, that "thair is twa Kings and twa kingdomes in Scotland. Thair is Chryst Jesus the King, and his kingdome the Kirk, whase subject King James the Saxt is, and of whase kingdome nocht a king, nor a lord, nor a heid, bot a member." James, who had been "crabbed and coleric" at the beginning of the interview, dissembled his wrath and waited his opportunity. It soon came. In December 1596, David Black, minister of St. Andrews, preached a violent sermon against the King and Queen. Two years earlier, a preacher at Perth had called James a liar and a hypocrite, and nothing worse had happened than an admonition from the General Assembly to be careful in proclaiming what the Assembly seemed to regard as the truth. But Black had made a grave blunder. He had also denounced the Queen of England as an atheist. Elizabeth, alarmed by the menace of Puritanism in England, complained to James, who had thus an exceptionally strong case against the preacher. Black was summoned to appear before the Privy Council in Edinburgh. He declined to admit its jurisdiction, and he

was supported by the Presbyterian party, who refused to acknowledge that the Council could deal with the case, at least as a court of first instance. This amounted to a repudiation of any jurisdiction, for it was incredible that the Assembly would remit such a case to the Council. Black was banished to the northern Highlands, and on the 17th of December, 1596, there occurred a riot in Edinburgh, not entirely connected with the question at issue. James withdrew from Edinburgh to Linlithgow and ordered the removal of the Law Courts from Edinburgh, which was to cease to be the capital of the country. Even the strong Presbyterianism of the citizens of Edinburgh could not face this threat, and on the 1st of January, 1597, James entered his capital in triumph. Parliament at once placed it within the King's discretion to forbid Church Courts to meet, and to prohibit ministers from preaching when he should deem such a course necessary. The Church had fought its battle on a false issue and had adopted an untenable position, and it had lost the day.

The King made good use of his victory. From 1597 to 1610 he was engaged in destroying the parity of the clergy, which was the essential tenet of Presbytery, and in subjecting the Church to the rule of a titular episco-

pacy in which the bishops had administrative powers but no episcopal consecration. Before his succession to the throne of England he accomplished his ends by himself summoning General Assemblies and taking care that the clergy from the north should be well represented, for Presbytery had acquired no hold on the country north of the Firth of Tay; in 1597 he got the Assembly to take a part in the selection of ministers who were to be promoted to bishoprics, and the Assembly of 1602 appointed one of the royal bishops to visit the diocese over which the King had placed him. After the Union of the Crowns, James was in a stronger position. He kept a firm control over the Parliament and the Privy Council. Intrigues with the sovereign of England were no longer possible either for rebellious Scottish barons or for discontented Scottish ecclesiastics. His own Catholic intrigues came to an end, and, with them, the general suspicion about the soundness of his Protestantism, and, in fact, he used the persecution of the Catholics as a means of working out his own ecclesiastical purposes, as, for example, when he persuaded a Convention of ministers to agree that each Presbytery should have a perpetual Moderator or President, paid by the King, in order that a campaign against "Popish recusants"

might be vigorously undertaken. During this period, he summoned Assemblies more rarely, and he did not convene one until he had got rid of his chief opponent. Andrew Melville had been summoned to a conference in London, and in the course of the discussions he gave the King a plausible excuse for bringing him before the English Privy Council for slandering the Church of England. He was kept in restraint from 1607 until 1611, when he was allowed to go into exile, to teach at the University of Sedan. By that date, James had succeeded in converting his titular episcopacy into a real episcopacy. In 1609, Parliament gave the bishops the ancient ecclesiastical jurisdiction (avowedly for the purpose of enforcing the penal laws against Papists) and, in 1610, an Assembly, consisting of members nominated by the King, gave a modified sanction to the step, though it insisted that the bishops were to be subject to the censure of the Assembly. Three of the Scottish bishops were consecrated in London by the Bishops of London, Ely, and Bath. Neither of the English primates took part in the rite, in order to avoid any re-assertion of the old claim to superiority. The Scottish prelates were in Presbyterian orders, and the Bishop of Ely (Lancelot Andrewes) wished to re-ordain them to the

priesthood, but this was held to be unnecessary.

It was a modified form of episcopacy which James, by a series of clever and unscrupulous tricks, had succeeded in introducing. The lower Presbyterian courts—the Kirk Session and the Presbytery—still met and still exercised an authority which was locally supreme. But the Provincial Synod had become a Diocesan Synod, and, although James insisted that he had no intention of abolishing the General Assembly, the power of the Assembly had been, in great measure, transferred to the bishops individually or in the Court of High Commission, newly established by an exercise of the royal prerogative. James had been clever enough to go to the extreme limits of safety, and there was no rebellion and no suggestion of rebellion. As time went on the younger generation of ministers were less opposed to the existence of bishops than their seniors who had witnessed the long fight and the royal triumph, and there is every indication that, if no other considerations had intervened, King James's compromise between Episcopacy and Presbytery might have been permanently the constitution of the Church of Scotland.

The secret of the royal success lay in the fact that the King had left untouched the

institutions which were dear to the heart of the layman. He had still the local Church Courts with which he was familiar, and he had still the traditional ritual of the Presbyterian Church. The General Assembly of 1564 had prescribed for use in the Church the "Book of Common Order," drawn up by John Knox. The prayers printed in this volume were not necessarily to be read; the rubrics generally order "these or such-like words," and "conceived" or extemporary prayer may have been used from the first; but, from the Reformation until the time of the Great Rebellion, service was, normally, conducted in Scottish churches in accordance with the Book of Common Order. The Sacrament of the Lord's Supper was administered to sitting congregations; but at prayer, kneeling was enjoined. The Creed and the Gloria Patri were regularly used in public worship. The ministers wore black gowns. The seasons of the Christian Year were not observed.

Even before his accession to the English throne, James had wished to make some change in this ritual, and in the attempt to do so, he risked, in the end of his reign, the success of his constitutional compromise. In 1618, an Assembly, meeting under royal influence, sanctioned the Five Articles of Perth,

by which James tried to introduce into the Church the custom of kneeling at Communion; the observance of Christmas, Good Friday, Easter, Ascension Day, and Whitsunday; episcopal confirmation; private baptism in cases of necessity; and the private communion of the sick. The history of the attempts to enforce the Articles of Perth shows clearly that the laity were much more strongly opposed to these changes than they had been to the mere introduction of episcopacy, and the royal attempt to legislate on purely ecclesiastical matters roused a widespread popular indignation. In spite of some explosions of temper, there are indications that James realized the danger, and in his last years, refusals to conform to the Five Articles were frequently ignored. His son, Charles I, on his accession, adopted the same wise policy, but in 1629, under the influence of Laud, he again raised the question of re-modelling the Scottish liturgy. When he paid his first visit to Edinburgh, in 1633, the ceremonies of his coronation raised a general impression that he aimed at the reintroduction of Popery, and, during the royal visit, Parliament passed an Act ordering all ministers to wear white surplices for administering the two Sacraments and for burying the dead. In 1635–6, a Book of Canons was issued by royal authority,

without the sanction either of the Parliament or of the General Assembly, which had not met since 1618. These canons struck at the local Church Courts, which James VI had left untouched. They contemplated the existence in Scotland of a church really governed by bishops, and they assumed the disappearance of the Kirk Session and the Presbytery, for whose duties other provision was made. They instituted the new office of a preaching deacon, as distinguished from the lay office of deacon which had been introduced at the Reformation, and among the changes in ritual which they ordered were, in addition to the regular use of the surplice, the celebration of Communion in the chancel of the church, the use of a new Service Book, and the disuse of extemporary prayer. No minister might presume "to conceive a prayer *ex tempore*" under penalty of deprivation. When the new Service Book was published, in the early summer of 1637, it proved to be the English Book of Common Prayer, with some important alterations. The Prayer Book, as used in England, would have been bitterly opposed, but Charles and his advisers had committed a very grave error in giving his opponents their best argument, that the new book was more Popish than the English book itself; and the belief in the King's intention

of an ultimate reconciliation with Rome was greatly strengthened. On Sunday the 23rd of July, 1637, the new Prayer Book was read in St. Giles's Cathedral, and was the occasion of a riot which was the beginning of a revolution.

This long sketch of the policy of James VI and Charles I has been necessary if we are to understand the central fact in Scottish seventeenth-century history—why the Scots took up arms against the King. There was no objection to read prayers in themselves: the prayers in the Book of Common Order had been read, as usual, that Sunday morning at St. Giles's. The fierce opposition to the royal policy was an opposition to the imposition of a new constitution and a new ritual upon the Church by royal authority, without the sanction of an Assembly or of any Church Council. The Government were doubtless wise in not attempting to employ King James's device of a nominated Assembly, for no Assembly could have been got together to carry these measures; but this fact made them all the more a trespass upon the spiritual freedom of the Church. After the riot in Edinburgh, Charles failed to realize the gravity of the situation, and in the beginning of 1638, the Scots, in large numbers, signed the National Covenant. This was a document

originally drawn up during a "Popish scare" in 1581, but there was appended to it a protest against recent innovations. After the Covenant had been signed, the King offered to withdraw the Service Book, the Canons, and the Articles of Perth, and to summon a free Parliament and a free Assembly. If these offers had been made in the autumn of 1637, instead of in the autumn of 1638, they would probably have prevented an insurrection. It was now too late, for the movement was no longer a mere protest against the Canons and the Service Book: it was a revolt against the bishops and the episcopal government of the Church. A Covenanting Assembly met in the noble cathedral at Glasgow in November of 1638. It defied the Royal Commissioner, deposed the bishops, and repealed all the legislation by which James VI and Charles I had established Episcopacy.

Within three years the King found himself compelled to consent to every demand put forward by the Church of Scotland. In 1639 and again in 1640, the Scottish Covenanters had appealed to arms. Charles had no army to resist them, and when he summoned English Parliaments to give him the means wherewith to suppress the Scottish rebellion, he found that the English Commons were in sympathy with the Scots. The anti-Roman movement

was common to both countries, and it was what they believed to be their common danger of a revival of Popery that united the English and the Scottish opponents of Charles I. The King's affairs went from bad to worse in England, and in the summer of 1641 he visited Scotland in the hope of obtaining Scottish help against his English enemies. He gave way on every point that had been in dispute, and Scotland, though it was not prepared to help the King, might well have remained neutral in the English Civil War.

The intervention of the Scots in the English war was the result of the adoption of a policy which repeated the errors of Charles and Laud. The King had aimed at a complete uniformity between the Churches of England and Scotland. His father had regarded the form of Church government as a thing in itself unimportant from a doctrinal standpoint; Church government, he thought, in any state, ought to harmonize with the Civil government, and Episcopacy agreed best with absolute monarchy. Charles, on the other hand, believed in the divine right of Episcopacy, and he was obsessed by that passion for complete uniformity which has so often worked mischief in human affairs. The Scottish Presbyterians believed equally in

the divine right of Presbytery, and after the Glasgow Assembly of 1638, they compelled, by force of arms, the north-east of Scotland, which was episcopal in its sympathies, to accept the National Covenant. In their intercourse with the Parliamentary opposition in England, they came to believe that the English people really wanted Presbytery, and they formed the ambition of "securing willingly that conformity which the King has ever been vexing himself and us to obtain." When, therefore, the English Parliament found itself in desperate need of assistance in its struggle with the King, in the autumn of 1643, the Scots would give assistance only on one condition—that the English should join in taking a solemn Covenant to establish Presbytery as the only lawful form of government not only in England but also in Ireland. From the first, it was clear that the English Parliament wanted only a civil league, but the Scots insisted upon a religious Covenant, and the result was the Solemn League and Covenant, which committed both Parliaments to the establishment of a uniform system of doctrine, ritual, and government in the Churches of England, Scotland, and Ireland.

The Solemn League and Covenant had an important effect upon the Church of Scotland.

Scottish Commissioners were added to an Assembly of Divines sitting at Westminster to remodel the Church of England. In accordance with its recommendations, and in pursuit of the ideal of a covenanted uniformity between the three kingdoms, the Scots adopted the "Westminster Standards." The Book of Common Order was abandoned in 1645 for the "Directory for the Publique Worship of God throughout the three Kingdoms." The Westminster Confession of Faith replaced the Knoxian confession in 1647, the Westminster Catechisms superseded the old catechisms in 1648, and in 1650 the General Assembly prescribed Rous's English metrical version of the Psalms as "more plain, smooth, and agreeable to the text than any heretofore." These Westminster documents, drawn up by a body which was really of the nature of an English Parliamentary Commission, with six Scottish assessors, have become characteristically associated not with the land of their origin, but with the land of their adoption. They were deliberately accepted by the Scots as a compromise necessary for the success of the Solemn League, and they represent a distinct stage in the development of Scottish Presbyterianism.

The sacrifice of the older "Standards" of the Church of Scotland had failed to produce

the desired results even before it was complete. The Scottish army gave some valuable assistance to the English Parliamentary forces before the brilliant campaign of Montrose recalled a portion of the Scots to defend their own country against the Royalists. But, in the end, King Charles was beaten, not by the English Parliament, but by the New Model Army. The victors were Independents in Church government, they disliked Presbytery as much as they disliked Episcopacy, and it was one of their causes of quarrel with the Parliament that it was still attempting to carry out the Solemn League and Covenant and that it declined to allow any toleration for Independents. The Scots could not now deceive themselves with the belief that the English really desired Presbytery, but the idea of a solemn and irrevocable Covenant made with the Almighty exercised a dominant influence over their minds, and they thought it impossible to recede from their demands. When it became clear that the dominant party in England—the sectaries, as they were described in Scotland—had no intention of carrying out the provisions of the Solemn League, Scottish feeling was very bitter against the English betrayal, and it was universally agreed that a declaration of war against " the sectarian army in England and

their followers" would be amply justified. There was a difference of opinion as to whether war was expedient as well as justifiable, but in their exasperation a portion of the Scots made an "Engagement" with the King, then a prisoner in the Isle of Wight, on the illogical basis of his agreement to give a three years' trial, in England, to the divine institution of Presbytery. The Engagers were defeated by Cromwell at Preston in August 1648, and the Anti-Engagers, under the Marquis of Argyll, were being forced into friendly relations with Cromwell when the news of the execution of Charles I startled Scotland.

There was a genuine indignation against the men who had taken the King's life, but indignation was closely related to the emergence of a new hope for the Solemn League and Covenant. The young King might be persuaded to do what his father had declined to do, and he was immediately proclaimed as King of Great Britain, France and Ireland. But the King must take the Solemn League and Covenant if he was to receive any help from Scotland. Charles tried to escape. He hoped for Irish help until Cromwell had subdued Ireland, and for aid from Montrose until the defeat and capture of the great Marquis. By the summer of 1650 all such

chances had vanished, and on the 23rd of June Charles landed in Scotland, having signed both Covenants and pledged himself to establish Presbytery in England and Ireland as well as in Scotland. He found bitter divisions among the Scots. No Royalist who had fought under Montrose and no Covenanter who had invaded England in accordance with the Engagement was allowed to fight in the army which Cromwell defeated at Dunbar on the 3rd of September, 1650. After the defeat, it was impossible to maintain this attitude, and both the " Engagers " and the Royalists (or " Malignants " as they were called) were permitted to join the army which, in the following year, invaded England and was destroyed by Cromwell at Worcester on the first anniversary of Dunbar. The admission of Malignants and Engagers itself divided the Covenanters, and General Monck, Cromwell's lieutenant in Scotland, found it an easy matter to reduce the country and to impose an ecclesiastical peace, if not an ecclesiastical harmony. The General Assembly was forcibly dissolved in 1653, in spite of its protest that the English soldiers had themselves taken the Solemn League and Covenant. Scarcely less obnoxious to the Covenanters than the suppression of the Assembly was the toleration given to Independents; but the local Church

Courts were allowed to meet and Presbyterian worship, in accordance with the new rules of the Westminster Directory, was not disturbed.

The Restoration of the Covenanted King raised the hopes of the Scots, but it was soon clear that a great tactical mistake had been made by insisting that Charles should swear to the Solemn League as well as to the National Covenant. Charles could not have established Presbytery in England even if he had wished to do so, and the Scots would have been in a much stronger position if he had been pledged only to the National Covenant and the maintenance of Presbytery in Scotland. The one plea that can be made for the King is that what the Covenanters continued to demand was the Solemn League and the suppression of Episcopacy in England. It is sometimes asked, What could any government have done in such circumstances? One answer is clear and undeniable. Nothing worse than the Government of Charles II actually did.

After a period of hesitation, the Government procured the repeal of the Acts which, in the last year of the rule of Charles I, had made Presbytery again the established form of religion in Scotland. Scottish bishops were appointed and four of them were re-ordained and re-consecrated in London; among them

the primate, James Sharp, Archbishop of St. Andrews, who had betrayed the Presbyterian cause which he had been sent to London to represent. The mistakes of 1637 were, for the most part, avoided. The Prayer Book was not introduced; the surplice was not worn; there was no altar, no episcopal confirmation, and no diaconate. It was impossible, in the reign of Charles II, to distinguish between the worship of the Episcopal and the Presbyterian Church in Scotland, except by the use of the Doxology, the Lord's Prayer, and the Creed, all of which had been usual before the days of the Solemn League and Covenant. In regulating the constitution of the Church, the Government attempted a compromise between the Jacobean Episcopacy which did not interfere with the local Church Courts and the Laudian Episcopacy, in which they found no place. Presbyteries were to be allowed to meet, but in close dependence upon the bishops, who could summon them at their pleasure. They continued to exist, but, in strict theory, they were not Presbyteries at all, and the more rigid Presbyterians denied that they had any authority.

Before the outbreak of the war, these things might have been a possible compromise, but war, and especially civil war, turns moderates into extremists, and the new Episcopal estab-

lishment was certain to be faced by a vigorous opposition, except in the north-east of Scotland. The Government at once took steps to convert its opponents into rebels. The two Covenants were denounced by Act of Parliament as unlawful, and every one admitted to office of any kind had specifically to renounce them, a measure which prevented all chance of their being gradually forgotten, and endowed them with a new sanctity. Penalties were appointed for preaching or praying against the episcopal government of the Church. Nearly three hundred ministers were expelled from their livings. Laymen were fined for failing to attend the parish church. Acts were passed to prevent the ejected ministers and their people from meeting together for public worship. All this meant that if a Presbyterian was to remain a Presbyterian he must become a rebel. The outrageous demand that the Solemn League and Covenant should be enforced in England was no longer relevant to the situation. The vital fact was that no man in Scotland might lawfully remain a Presbyterian. There was a small rebellion in 1666, known as the Pentland Rising, and it was suppressed with a cruelty which was hateful to many of the episcopal clergy, and which led the saintly Robert Leighton to ask

leave to resign his diocese of Dunblane on the ground that "he could not concur in the planting the Christian religion itself in such a manner, much less a form of government." An attempt at conciliation was made and failed and, in 1670, any one who preached or prayed at a field-meeting or conventicle was made liable to the death penalty. Heavy fines were enforced for attendance at such meetings and informers were paid for revealing the names of those who were present. The Duke of Lauderdale, then Charles's minister in Scotland, wished for a rebellion "that so I might bring over an army of Irish Papists to cut all their throats." No rebellion took place till 1679 when, after the brutal murder of Archbishop Sharp by a party of fanatics, there was a formidable rising in the west, and a Government force, under John Graham of Claverhouse, was defeated at Drumclog (June 1, 1679). Lauderdale did not have the opportunity of bringing over his Irish army, for he was superseded by the Duke of Monmouth, who, after defeating the rebels at Bothwell Bridge, employed milder measures —though these included the imprisoning of about 1,000 prisoners in the open air in Greyfriars' Churchyard in Edinburgh. But the influence of Monmouth was soon replaced by that of James, Duke of York, and the last

years of the reign of Charles II saw a fierce struggle between cruelty on the one side and fanaticism on the other. The extreme Presbyterians, led by Richard Cameron, asserted that the King had forfeited his right to the throne by his repudiation of the Solemn League and Covenant, and a public declaration to this effect, made at Sanquhar in the summer of 1680, led to severe reprisals on the part of the Government. These are the years known in Scottish history as the "Killing Time." When the Duke of York became King James VII, Parliament made mere attendance at a conventicle a capital offence, until the King's policy changed and Declarations of Indulgence were issued.

The fall of King James in the end of the year 1688 was followed by a reversal of the Restoration policy. William and Mary were offered the Crown of Scotland on condition (among other stipulations) that the Episcopal Church should be disestablished, and, though William was prepared to disregard his promise, he ultimately found it to be in his interest to keep it. The re-establishment of Presbytery by the Scottish Parliament in 1690 was no victory for the supporters of the Solemn League and Covenant, but the history of the Church in the next half century shows the hold which the principles of the Solemn

League still retained on the affections of a large number of Presbyterians. Except for the recognition of the Westminster Confession of Faith, the Presbyterianism which was restored by the Revolution Settlement was the Presbyterianism of 1592. The Scots received from William—what Cromwell had said they ought to have—liberty of conscience, not liberty to bind other men's consciences. Presbytery was not imposed on the whole nation, though the connection of Scottish Episcopacy with Scottish Jacobitism led to much suffering for the disestablished Church. The extreme Presbyterians, followers of Richard Cameron, declined to join the Established Church. Their three ministers deserted them, but the Cameronians continued to meet in their Fellowship Societies, and, possessing no ordained minister, were deprived of participation in the sacraments of the Church. In 1706 the "Society" men were joined by a minister of the Church of Scotland, who had left it as a protest against the neglect of the Covenants and the toleration of Episcopal clergy who took the oath of allegiance to the new sovereigns. The sinfulness of toleration was also a leading cause of the first secession from the Church in 1733. These Original Seceders did not unite with the Reformed Presbyterians, as the Camer-

onian Societies were now called, but themselves split into a variety of sects. A dispute as to the lawfulness of the oath taken by burgesses of Edinburgh, Glasgow, and Perth, led to the division of the Secession Church into the Burghers and Anti-burghers, and these again split into Old Light and New Light Burghers and Old Light and New Light Anti-burghers. A dispute about the necessity of the minister's lifting a piece of the sacramental bread during the prayer of consecration at the Communion Service led to the secession from the Anti-burghers of a body of "Lifters." Unwise action on the part of the General Assembly of the Church of Scotland in 1752 drove out another body of Seceders known as the Relief Church.

The Assembly's error in 1752 was connected with the question of lay patronage. At the Reformation, Knox and his colleagues had desired that ministers should be chosen by their congregations, but they did not get their way. In 1649 Patronage had been abolished by Parliament, but this Act was invalid after the Restoration. At the Revolution Settlement it was again abolished, but was restored by the Parliament of Great Britain in 1712, in defiance of assurances given at the Union that the privileges of the Church of Scotland would be respected. The

existence of lay patronage, which could only be protected by the civil courts, was certain to bring about a recurrence of the controversy about the respective jurisdictions of Church and State, and this controversy led to the Disruption of the Church in 1843. Patronage, it is true, was rather the occasion than the cause of the Disruption, but it is almost inconceivable that any other occasion could have arisen which was capable of bringing the cause into operation, and the abolition of Patronage in 1874 was a most valuable protection against the emergence of disputes between Church and State. Apart from the Disruption—a very great exception—the tendency in the last hundred years has been towards union rather than disunion. The New Lights, Burghers and Anti-burghers, formed in 1820 the United Secession Church, which, in 1847, amalgamated with the Relief Church to form the United Presbyterian Church. A majority of the Old Light Burghers returned to the Establishment in 1839. The Old Light Anti-burghers absorbed a remnant of New Light Anti-burghers who had objected to the union of 1820, and the minority of Old Light Burghers who refused to join the Church of Scotland in 1839, and a majority of these "United Original Seceders" joined, in 1852, the Free Church of

Scotland which had been formed after the Disruption. The last year of the nineteenth century witnessed the union of the Free Church and the United Presbyterian Church, and negotiations for a union of this United Free Church with the Church of Scotland are now under consideration.

CHAPTER V

AGRICULTURE AND COMMERCE

Our earliest records speak of Scotland as an agricultural country. In Adamnan's eighth century life of St. Columba we find a tale of the joy of the reapers on their way from the cornfield to the monastery, a miracle of barley sowed after midsummer and reaped in the beginning of August, a story of rain which came in May after a long spring drought so that the parched earth was moistened and yielded a rich harvest. One of the Saint's prophecies was made to a man who came to him "after the grinding of the corn"; references to cattle are numerous, and Columba once blessed a butcher's knife by accident, but recalled his blessing to the discomfiture of the butcher. "I trust in my Lord," he said, "that the knife I have blessed will never wound men or cattle," and the monks at once melted down the knife "and applied a thin coating of it to all the iron tools used in the monastery," which never thereafter "could inflict a wound on flesh." It is a possible

inference from this story that oxen were used for ploughing in the time of St. Columba, or, at all events, in that of his biographer, for if cattle had been kept only for food, the monks would not have gone out of their way to render all their tools useless in the slaughter-house. A life of St. Columba's contemporary, St. Kentigern, speaks definitely of oxen ploughing; it was written in the twelfth century, and is therefore not a very good authority, but if our inference from Adamnan is correct, its story of the miracle by which a stag and a wolf ploughed for St. Kentigern is the more likely to represent an ancient tradition. Adamnan himself was familiar with wheel carriages, for he makes St. Columba ascend a yoked car which he had blessed, unaware that "the linchpins were not inserted in the holes at the extremities of the axles," and much jolting failed to disturb the wheels.

A certain amount of information about land tenure and agricultural methods in Celtic Scotland may be gathered from monastic records, and, in the Lothians, the great religious houses of Melrose and Kelso preserved for future generations some knowledge of twelfth and thirteenth century agricultural conditions. An often quoted rental of the Abbey of Kelso, dating from the end of the thirteenth century, shows the domain lands

of the monks, on which their serfs or villeins cultivated oats, barley, and wheat, and reared sheep, cattle, and horses. There was a grange on each domain, in which lived monks or lay brothers to exercise supervision over the villeins. Outside the domain were the free tenants, the greater of whom were vassals of the Abbey and corresponded to the modern country gentry, and the lesser were husbandmen and cottars. The husbandman farmed, in theory at all events, twenty-six acres, and the cottar had one or more acres attached to his cot. In early times, the farmer rented the stock along with the land; the monks of Kelso used to assign to each husbandman two oxen, a horse, three chalders of oats, six bolls of barley and three of wheat, and there are traces of this "stuht" or "steelbow" tenancy till late in Scottish history. Rents were originally paid in kind and in services, and although by the thirteenth century money rents had become common, services and partial payment in kind continued to exist till comparatively recent days. Such services consisted of a certain number of days spent in reaping the lord's harvest, in carting his peats, in conveying his grain or wool to town or market, and in helping with sheep-washing and shearing. As a rule, all tenants had to have their meal

ground at the mill of the estate, and these large water or wind mills thus came to supersede the old quern stones worked by the women, which continued to be used in remote parts of the Highlands till the days of Dr. Johnson's tour to the Hebrides. Of about the same date as the Rental of Kelso Abbey are the earliest records of payments to the Royal Exchequer. They show contributions of oats and barley, oatmeal and barley meal, malt and fodder; wheat from the countries south of the Forth; cheese and poultry. The Scots Parliament paid, from time to time, considerable attention to agriculture. As early as the year 1214 Alexander II made an enactment that every owner of more than four cows should take land of his lord and plough and sow it. Villeins were (as in the later Statutes of Labourers in England) forbidden to remove from place to place. Free tenants who planted guld (the corn marigold) and failed to root it out were to be punished as traitors, and villeins guilty of the same offence were to be fined a sheep and to be compelled to clean the land. In the fifteenth century the Estates ordered the destruction of rooks and crows, and trees in which these birds were allowed to build were to be forfeited to the Crown. A farmer who possessed a plough of eight oxen was ordered, under a

penalty, to sow at least a firlot of wheat, half a firlot of pease, and forty beans, and freeholders were to compel their tenants to plant trees, hedges, and broom. Many acts aimed at the protection of the smaller tenants. Oxen and horses used for ploughing were not to be distrained while the debtor had any other goods to seize. No hunting or hawking was to take place in cornfields between Easter and harvest, or in wheat fields at any time of year. Only the great barons were to go on horseback to join the King's army, owing to the damage done to poor people's corn, meadows, and enclosures. French troops, accustomed to see soldiers and huntsmen ride freely where they would, regardless of the destruction of which they were guilty, were astonished when Scottish peasants complained that their French allies did more mischief than their English enemies, and demanded compensation for injuries done to crops.

Yet, in spite of wise legal enactments, not always dutifully observed, Scotland made small progress in agriculture between the War of Independence and the Union of the Parliaments. John Major, a Scottish historian of the early sixteenth century, attributes this to the prevailing system of short leases. "They have," he says, "no permanent hold-

ings, but hired only, or in lease for four or five years, at the pleasure of the lord of the soil; therefore they do not dare to build good houses, though stone abounds, neither do they plant trees or hedges for their orchards, nor do they dung the land, and this is no small loss and damage to the whole realm. If the landlords would let their lands in perpetuity, they might have double and treble of the profit that now comes to them—and for this reason: the country folk would then cultivate their land beyond all comparison better, would grow richer, and would build fair dwellings that should be an ornament to the country, nor would those murders take place which follow the eviction of a holder." The short leases were felt to be a grievance, and the law provided that leases were not to be voided by the sale of land, and that tenants of episcopal farms were not to be dispossessed when the lands were in the royal possession during a vacancy in a see, but short leases can scarcely be accepted as a complete explanation of backwardness in agriculture. During the next hundred years after Major wrote, landlords frequently let agricultural lands in perpetuity, but the creation of these feu farms did not have the consequences that Major anticipated, and Scotland long remained an unenclosed country.

The system of short leases which grew up in the fifteenth century had, however, an influence of quite a different kind. In one respect the Scottish peasant was much better off than his brother in England or elsewhere—in the early extinction of villeinage or serfdom. As late as 1561, the burgh of Norwich surrendered a youth to his master on the ground that he was a villein; the latest known instance of the same kind in Scotland is in 1364, almost exactly two hundred years earlier. It has been calculated that in the reign of Elizabeth there were still 250 villein families in England, and recent investigation shows that the estimate is certainly too low, even though public opinion was by this time against villeinage, and the English judges were straining the law in the villein's interest. About the same time, our great Scottish lawyer, Sir Thomas Craig, was writing about "villeins who to-day are common in England," and he says about villeinage: "There is no such custom among us and villein is an unknown name. There are indeed some references to villeins and to the methods by which they may obtain their freedom in our ancient law book, the *Liber Regiæ Majestatis*, but these things came from English customs and were never in regular use among us." This statement is historically inaccurate. It is

true that when, before the War of Independence, Scots law was based on English law, there is plenty of evidence of the existence of serfs, but it is also true that we have plenty of evidence about serfs and villeinage after the War of Independence. Craig was a lawyer, not an historian, and the importance of his statement lies in the fact that by the end of the sixteenth century, the very memory of Scottish serfdom had died out, in spite of the persistence of very similar conditions among salters and miners till near the close of the eighteenth century (*cf.* pp. 219–422). There is no reason for doubting Craig's accuracy about the conditions of his own time. If our quotation were taken from the book in which he advocated a Union of the Kingdoms immediately after the Union of the Crowns, it might perhaps be argued that he was enthusiastic and unduly optimistic in his effort to persuade the English of the superabundant merits of Scotland, but the words come from his exposition of feudal law, and are a simple statement of fact. It was not until the student of the late eighteenth and the early nineteenth centuries began to investigate into our early records that the facts about agricultural serfdom in Scotland became known. The prevailing ignorance is well illustrated by an important case which came before the Court

of Session in 1775. Three years after Lord Mansfield had decided that a slave who sets foot on the soil of England became a free man, the same point was discussed in the Scottish courts. A negro, Joseph Knight, claimed to have been set free by being brought to Scotland, and his master, John Wedderburn, contested the claim. The advocate who appeared for the master was anxious to show that serfdom was recognized by the law of Scotland, but he had to be content with quoting examples of no later date than the reign of David II, and the advocate who pleaded—successfully—the cause of the slave, boldly asserted that villeinage never prevailed in Scotland, and that the references in our law books before the War of Independence were borrowed from other nations and only inserted to make the books complete. It is impossible to argue nowadays that agricultural serfdom was unknown in Mediæval Scotland, but it is a matter of importance that its very memory became extinct while the institution was still common in England. The landlords discovered that it was an economic gain to have freemen working their own plots of land, and paying rent in kind, in money, and in services, rather than to have serfs labouring on the soil of their lords. The grant of small leases may be connected with the fact that Scotland

never knew any rising of serfs such as the Peasants' Revolt in England in the fourteenth century or such as Ket's rebellion in the reign of Edward VI, in which the abolition of serfdom was one of the main demands of the insurgents.

In spite of the freedom of the labourer, it is not until far into the eighteenth century that we find anything like a general advance in agricultural methods. When James Ramsay, the laird of Ochtertyre, near Stirling, wrote his reminiscences in the last quarter of the eighteenth century, his memory went back to a condition of things which is closely analogous to that revealed by the royal and baronial rentals and other documents of the fifteenth century.

" In this corner," he says, " where the chief dependence was upon corn, each tenant has commonly a ploughgate (104 acres) of land; but upon the borders of the Highlands there were commonly four tenants to a plough, sometimes more. In place of having their possessions separate from each other, the whole was everywhere in *run-rig*, i. e. the several tenants had ridge about of every field. The grounds were further divided into *in-field* and *out-field*. The former lay contiguous to the homestead, and was cultivated with great care. . . . The whole dung was laid

upon the in-field, but it being inconsiderable, much of the summer work was bestowed upon making earth *fuilize*, i. e. composts of earth made of dung or lime. For this purpose our tenants made no scruple of taking the soil off one ridge to lay it on another. In that way whole fields on most estates of this neighbourhood have been stripped of the vegetable mould, and nothing left but a bottom of till or gravel. . . . Abstracted from the loss of ground, it was an excellent manure, serving both to enrich and thicken the soil of the in-field, and answering some of the purposes of a fallow. But the far greater part of the farm consisted of *out-field*, managed in a very slovenly manner. In some places it was the practice either to fold cattle in summer, or in their sandy soils to lay them [*i. e.* the out-fields] under water in winter. In general, however, it got no manure, and, after the ordinary time, it was broken up for oats. . . . In the dry fields it was usual to leave the ground lea for six years, and then to take three crops of oats." A similar description of a different part of Scotland is given about a century earlier by Alexander Garden of Troup in Aberdeenshire, who speaks of the manured in-field, and tells us that the out-fields were left in grass four or five years and then ploughed up; "and letting

them lie a summer thus ploughed, we plow them over again, and sow them the next spring." He adds that a fourfold or fivefold return of the grain sown was regarded as satisfactory, "yea, the third is very well thought off," though occasionally a six or sevenfold crop might be reaped.

In the course of the eighteenth century several great improvements became general. Personal service died out, and an Act of 1799 made it possible for tenants to escape from "thirlage" to a particular mill and to have their grain ground where they chose. Outfields began to be manured with the ashes of peat refuse from the neighbouring mosses; portions of the mosses themselves were converted into arable land; white oats and wheat began to take the place of the coarse black oats and the bere which were the staple products of Scottish farming; and lime, which, though not unknown, had been rarely employed, was used as a manure. Run-rig gradually fell into disuse; it could, however, still be found in Aberdeenshire in the nineteenth century, and it is not yet completely obsolete. A decision of the Scottish Land Court (reported in the *Glasgow Herald* of March 5, 1914) records an instance of lands held run-rig on the estate of Lochend in Shetland, and the Court "agreed to the application

that the landholders may each have hereafter his holding in one or more compact blocks, to enable them to enclose the land and cultivate the same according to the rules of good husbandry." Traces of the "open field" system may still be found in England. Rotation of crops had become usual, though not universal, by the date of the "Statistical Account of Scotland" (1782–94). The potato was freely cultivated early in the eighteenth century, and Dr. Johnson found it of recent origin but firmly established in Skye. The cultivation of turnips became usual in the latter half of the eighteenth century, and led to the enclosing of fields with stone dykes or walls, built to keep the cattle off the turnips. "Nothing indeed but a stone fence," wrote James Ramsay, "will keep out cattle that have once tasted that delicious root. . . . Some of our tenants told me that their cows were more the worse than the better of turnips from being hard hunted and put off their usual food." In order to build the dykes, land was cleared of stones, and great boulders which used to interfere with ploughing were blown up with gunpowder. It soon ceased to be "thought bad neighbourhood to drive off cattle trespassing upon winter crops," and enclosures became popular. In addition to the stone dykes, mud ditches

were made and hedges of thornbush were planted.

In the same century, a great improvement took place in agricultural implements. The old twelve oxen plough of the mediæval period was in general use at the accession of George III; it continued to be used in Aberdeenshire till about the date of the battle of Waterloo, and in the middle of the nineteenth century it was employed in reclaiming land. It made, we are told, "rather a triangular rut in the ground than a furrow, leaving the soil for the most part equally fast on both sides of it." Like other implements of husbandry, it was made on the farm, and Ramsay tells that "the plough *graiths*, *i. e.* the timber of the plough, rough and unshapen, were brought by the Highlanders to the Martinmas Fair" and sold to the farmers for a shilling or eighteen pence each. Harrows and other instruments were also improved, and carts with spoked wheels were introduced to replace the sledges on which corn and manure used to be carried. Still more primitive than the sledges were the creels or panniers or the sacks with which horses were loaded. "When corn or meal had to be taken to or from the mill or conveyed away for sale," says Dr. William Alexander in his *Northern Rural Life in the Eighteenth Century*, "a sack

or 'lade' was put across each horse's back, and the animals followed one another in single file, the 'halter tow' of the second horse tied to the tail of the first and so on: a mode of transport that was still in use in the remoter parts of Aberdeen and Banffshires at the end of last [the eighteenth] century, as many as a dozen horses being occasionally to be seen following in single file." The "tumbling cart," in which, "in place of the wheels turning round on the axle, the axle-tree itself turned round," frequently preceded the spoked-wheeled cart in ordinary use. The introduction of carts was of course connected with the great improvements in the roads which marked the eighteenth century; not only were the great military roads constructed, but in 1713 and 1748 turnpike acts were passed for roads in Midlothian and between the Forth and the Clyde, and similar steps were taken elsewhere in the latter half of the century.

The revolution in agriculture, to some of the most important features of which we have referred, is part of the debt owed by Scotland to England. There are certainly indications in the history of the seventeenth century of a consciousness that Scottish farming was carried on by wasteful methods, obsolete elsewhere, and even if there had been no

legislative union in 1707, vigorous efforts would doubtless have been made for the more profitable cultivation of the soil. But as it was, the great landowners, like the last (titular) Duke of Perth and the second Duke of Gordon, who took the first practical steps in this direction, found their inspiration in their knowledge of English ways, as did also the Society of Improvers in the Knowledge of Agriculture in Scotland, which was founded in 1723, and was followed by local societies of the same kind. The impulse given by the Union received fresh strength after the suppression of the Jacobite cause. "The Rebellion of 1745," says Ramsay, "is a capital era in the husbandry and economics of Scotland. . . . The money remitted, first to pay the troops, and afterwards to purchase the heritable jurisdictions, gave new life to industry and enterprise of every kind. . . . From this period there was a constant resort of our countrymen to England, which gave occasion to many innovations in husbandry and among the labourers of the ground." The tenth Earl of Eglinton employed English labourers and, says Ramsay, "if it helped to embarrass his affairs, he certainly showed his countrymen what could be done by high cultivation." Lord Kames, on the same authority, "displayed the same ingenuity

and love of innovation in farming which distinguished his theories," but "his excellency lay in throwing out hints which duller men could pursue and carry into execution." A casual visit to Bristol gave a country gentleman, Mr. Graham of Meiklewood, "a very high opinion of English agriculture, and hence, when it came into vogue, he entered into it with all that warmth that marked his character." Robert Barclay (or Barclay Allardice) of Urie, the apostle of agriculture in the Mearns, studied farming in Norfolk.

The effect of the Union and of intercourse with England was specially notable in connection with live stock. The cattle trade made great progress in the twenty or thirty years which followed the Union; the Scottish breed of cattle was improved and better conditions were introduced. "Until cultivation of the turnip became general," wrote Dr. Alexander about Aberdeenshire, "it is rather difficult to realize the miserable style in which even the small black cattle were maintained, especially during the 'wintering,' when the staple of their sustenance, at its best, was oat straw with what they could pick up by roaming over the fields. By early spring the poor animals had got into sadly reduced condition, and if severe weather continued far into the season, it was not always

that the farmer could bring his whole stock to the grass in life." In the Highlands, things were even worse. Captain Burt, who worked on General Wade's roads, tells that when the oatmeal began to fail in the end of the winter, the Highlanders used to bleed their starving cattle, and " boil the blood into cakes which, together with a little milk and a short allowance of oatmeal, is their food." The breed of horses was also improved, and Ramsay tells us that the value of his tenants' horses doubled in twenty years at the end of the eighteenth century. Sheep-farming, which had flourished for centuries on the Borders and in Ayrshire, was not introduced on any large scale into the West Highlands until the latter half of the eighteenth century. It was generally believed that sheep required protection from the rigours of a Highland winter, and it was only by accident that this was discovered to be an error. An Ayrshire gentleman wasted his patrimony and came to keep the inn at Tyndrum. He had a few sheep and was too poor or too indolent to provide shelter for them, and they proved to be none the worse for their exposure to the weather. The Highlanders did not at once learn the lesson of this incident, for a new objection had to be disposed of; it was imagined that sheep would suffer too much

by being driven far. For some time, Highland sheep-farming was largely in the hands of the more enterprising Lowlander, who stocked the hills with the familiar black-faced sheep, but, gradually, Highland proprietors and tenants entered with vigour into so lucrative a trade. The old Highland sheep died out. It is supposed to have been introduced as long ago as the Norse invasions, and is often called the native or Norwegian sheep; it is described as being " thin and lank, with straight horns, white face and legs and a very short tail." The English Captain Burt had found it delicious eating in the 'twenties of the eighteenth century; it was not ready till August, he says, " but when fat is certainly the greatest of luxuries."

About the same date, the black-faced sheep was being replaced in the Lowlands by breeds of white sheep which produced a finer wool. The change is familiar from the conversation of the farmer, the shepherd, and Mr. Jedediah Cleishbotham, the schoolmaster, in the introductory chapter of the *Black Dwarf*. The shepherd was indignant at his master's scepticism about Cannie Elshie, the Black Dwarf, and reminded him that his father firmly believed in his existence. " Ay, very true, Bauldie," was the reply, " but that was in the time of the black-faces—they believed

a hantle queer things in thae days that naebody heeds since the lang sheep came in." They then mention the reclamation of land for agricultural use, which had become a necessity because "we maun hae turnips for the lang sheep," and the farmer points out that there is now no time for "clavers" about Black Dwarfs as there had been "lang syne, when the short sheep were in the fashion." "Aweel, aweel, maister," says the shepherd, "short sheep had short rents, I'm thinking." Here the schoolmaster roused their laughter by the remark that he never could perceive any material difference in the point of longitude between one sheep and another. "It's the woo', man, it's the woo', and no the beasts themsells, that makes them be ca'd lang or short. I believe if ye were to measure their backs, the short sheep wad be rather the langer-bodied o' the twa; bit it's the woo' that pays the rent in thae days, and it had muckle need. Odd, Baubie says very true—short sheep did make short rents—my father paid for our steading just threescore pounds, and it stands me in three hundred." The moral of this sentence had, when Sir Walter Scott wrote, already been fully impressed on the public mind by the Highland and Agricultural Society of Scotland, which since 1784 has continued the work done between 1723

and 1745 by the Society of Improvers in the Knowledge of Agriculture in Scotland, and between 1754 and 1765 by the Select Society and the Edinburgh Society for encouraging Arts, Sciences, Manufactures, and Agriculture. In its early days the Highland and Agricultural Society employed the method of awarding premiums by competition, and these premiums illustrate the nature of its achievements. Between 1785 and 1820 we find premiums awarded for the greatest weight of hay upon one acre of sown grass, for the greatest proportion of the arable land of a holding under turnips, for the cultivation of various kinds of grass seeds, and of potatoes, for sheep and cattle-breeding, for the reclamation of waste land, for the improvement of implements and machines, and for dairy produce. The tests were strict and scientific; thus, for example, in 1796 only half the premium was paid to a Sutherland crofter for the reclamation of land "in respect that the land was laid out and planted in lazy-beds." A ploughing match was held for the first time on the estate of Hoddam in Annandale in 1801 and ploughing matches were continued until 1818, when it was found that country gentlemen and local agricultural societies were making ample provision of this kind. Without abandoning the method of premiums, the Society decided

in 1822 on the establishment of a Cattle Show. These Shows almost immediately received a greatly widened scope, and the history of the annual General Shows of the Society is the history of nineteenth-century agriculture in Scotland. It will be found, up to the year 1878, with much valuable information, in the *History of the Highland and Agricultural Society of Scotland*, by the late Dr. Alexander Ramsay. But the subject of the development of agriculture in the nineteenth century is too large a theme for these pages. It must be remembered, in any discussion of the subject, that the percentage of cultivated land in Scotland to the total area of the country is slightly less than a quarter. In Fife, it is as high as 77·8 per cent., in Sutherland as low as 2·4 per cent. The scarcity of trees which impressed Æneas Sylvius, the future Pope Pius II, when he visited the Lothians in the reign of James I, and which provoked, or stimulated, the gibes of Dr. Johnson in the reign of George III is still, in spite of the efforts of the Highland and Agricultural Society, a feature of portions of the country; there are about 1,400 square miles of wood out of a total area of over 30,000 square miles, a proportion which might with advantage be increased.

The early history of Scottish commerce is

closely connected with our relations with England. Such knowledge as we possess is largely dependent on burghal records, and the constitution of Scottish burghs was based upon English models. The burghs themselves are, as a rule, older than the charters given to them by kings and magnates, but our earliest information shows that the oldest Scottish burghs had two features characteristic of the burgh in England—the right of holding a Burgh Court, and the existence of burgage tenure, by which every holder of land in a burgh was relieved, by paying a money rent, from any services due for his land, and also possessed the power "to give or sell his land in the King's burgh to whomsoever him likes." These provisions are to be found in the Laws of the Four Burghs (Edinburgh, Roxburgh, Berwick, and Stirling), as confirmed by King David I; they were drawn from English sources, and were the models upon which the charters of other Scottish burghs were founded. The charters given by David I often follow the charters of Winchester. They abound in the usual trading privileges; all foreign merchandise has to pay customs in a burgh and may not be sold outside its walls; the right of holding a market is confined to a burgh, and special provisions are made for the protection of men going to and from a market.

David I made Rutherglen into a royal burgh with the exclusive privilege of trade over a large district, including the episcopal burgh of Glasgow. Nothing might be sold within the bounds, unless it had first been taken to Rutherglen. Sometimes, the burgesses of a town are allowed freedom from toll and customs throughout the kingdom. The right of the merchants to form a Merchant Guild with exclusive privileges was much esteemed, *c. g.* no one in the sheriffdom of Perth was allowed to make dyed cloth except burgesses in the Merchant Guild of Perth, and no one but a burgess of Aberdeen might keep a tavern in any town within the sheriffdom of Aberdeen, except where a knight was the resident lord of the town. Concessions of this kind were more liberal in Scotland than in England, and the history of Scottish burghs, as compared with English burghs, is also notable for the absence of struggles between towns and the lords of manors, lay or clerical, on whose lands they stood. Scottish burghs were most frequently on royal demesne. The greatest exception is Glasgow, which was only what was known as a " burgh of barony." William the Lion gave the Bishop of Glasgow the right of creating a burgh on the lands of his bishopric, and its status was not raised till 1450, when further rights of jurisdiction

were conferred on the Bishop, and Glasgow became a " burgh of regality "; not until the reign of Charles I did it attain the dignity of a royal burgh.

Trade, or the possibilities of trade, cannot be regarded as the sole cause of the rise of burghs. In many instances, it is a sufficient explanation, as, for example, Edinburgh, Dundee, Perth, and Aberdeen, on the geographical advantages of which it is needless to insist. Dumfries commanded the parting of the ways leading northwards through Nithsdale to Glasgow, and westward through Galloway towards Ireland. But Ayr, Roxburgh, Forfar, and Lanark owed their burghal privileges to the existence of a royal castle, and St. Andrews, Jedburgh, Paisley, and Dunkeld to the presence of a great religious house or to the influence of an episcopal see. Small burghs were very numerous, *e. g.* Inverkeithing, Renfrew, Dunfermline, Crail, Forres, Irvine, Inverurie, Kintore, Cullen, Dingwall, Rosemarkie, Kinghorn, most of which were in existence before the outbreak of the War of Independence. Mediæval Scotland was, outside the Highlands, a country of small burghs, each with its independent and individual life, and the presence of these centres of free corporate existence must be taken into account in any

explanation of the national struggle for freedom. The small burgh was, of course, not a democracy. Power more and more tended to be in the hands of rich merchants and Merchant Guilds, and even before the War of Independence we have traces of fierce struggles between the merchants and the craftsmen.

About early foreign trade we have little available information, for the records of burghal legislation are chiefly domestic. Foreigners were not encouraged. Stranger merchants were strictly prohibited from trading outside a burgh, and were arrested and kept in custody if they were found transgressing this rule. Under David I and his successors, foreign trade expanded and brought into the towns a new population of English and Flemish merchants. Many of the Flemings came to Scotland from England, where they had been encouraged for industrial purposes by Henry I and employed as mercenaries by Stephen. They were driven out by Henry II and went to Scotland. Evidence of the existence of a population of Flemings is found all along the east coast, especially at Berwick, in Fife, in Forfarshire, in Aberdeenshire, and along the shores of the Moray Firth. We have various casual references to foreign trade in

the records of religious houses, which took so prominent a share in trading and fishing, that we find complaints, as early as the reign of William the Lion, that monasteries were merely bodies of traders. The Count of Flanders granted the monks of Melrose free passage for their goods through his dominions. David I gave fishing rights to the Abbot of Holyrood and conferred upon the Abbot of Dunfermline freedom of customs for one ship, and royal privileges granted to religious houses often took the form of grants of custom duties. Alexander II ordered the men of Moray and Caithness to protect the ships of the Abbot of Scone, and gave him the customs of ships coming up the Tay. There are similar traces of Scottish commerce in the English records. We find permissions given to religious houses and to private persons to purchase food in Ireland and to send wool to Flanders. Scottish shippers of corn are allowed to carry cargoes from Sandwich and from King's Lynn. There was a small colony of Scottish traders at Dunwich. Probably commerce with England was far the most important part of Scottish trade. The reign of Alexander III was the golden age of Scottish commerce, and coins of his reign are very common. John of Fordun, who lived some two hundred years later, tells a story that, after the wreck of

some Scottish ships, Alexander III decreed "that merchandise should not cross over the sea to any place beyond the kingdom, for so many ships were lost, and others were taken by enemies and pirates, that the kingdom was thus much impoverished, and ordered that no ship should pass out of the realm on pain of loss of goods," and the chronicler records that the result of this wise prohibition was that "many ships laden with all manner of merchandise would come to the country in these days, and barter all their merchandise, goods for goods." Foreigners certainly came and the Lombards wished to have a "factory" or trading settlement near Queensferry. Scottish exports seem to have consisted of pearls, hides, wool, fish, and live stock; but the chroniclers speak of Scottish skill in handicrafts. The commercial centre of Scotland was the town of Berwick-on-Tweed, which was described by the English chronicler of Lanercost as "a city so populous and of such trade that it might justly be termed another Alexandria, whose riches were the sea and whose walls the waters." That the description, if somewhat rhetorical, was not out of keeping with the facts is shown by the information we possess about its customs (*cf.* p. 34), and, indeed, the scraps of information that have been preserved about the customs

of the whole kingdom are the best evidence of the commerical prosperity of Scotland before the great war, and further illustrations can be found in the gifts of merchants to religious houses.

The century of peace which preceded the War of Independence explains the commercial prosperity of Early Scotland, and with the English invasions that prosperity passed away. Berwick-on-Tweed was, from 1296, only temporarily a Scottish town, and its trade decreased when the town itself and the district near it became the cockpit of Anglo-Scottish warfare. Another rich Scottish burgh of the day of the Alexanders—Roxburgh—entirely disappeared in the long struggle and only a few stones now mark its site. The recrudescence of English invasion under Edward III and the consequent alliance between Scotland and France prolonged the warfare and kept the country poor. In the latter half of the fifteenth century, when the English had been finally expelled from Scottish soil, and when the great House of Douglas had ceased to be a rival to the monarchy, the necessary conditions of commercial prosperity were, to some extent, restored, and in the golden days of James IV we again hear of the growth of Scottish trade. Lodovico Guiccardini, a Florentine who had settled in the

Low Countries, tells us that Antwerp imported from Scotland a large variety of skins and hides, wool, badly manufactured cloth, and "large pearls, not of so good water and colour as those that come from the East and not nearly so valuable." The ledger of Andrew Haliburton, a Scottish commission agent and Conservator of the Privileges of the Scottish Nation in the Netherlands, shows that his correspondents in Scotland made their remittances in wool, fish (salmon and trout), furs, and hides. All the transactions were on a very small scale, but Scottish trade was regarded as of some importance in the Netherlands, for successive Dukes of Burgundy gave commercial privileges to the Scots, and there was a competition among Flemish towns to attract the whole of Scottish commerce to themselves. Bruges was for many years the centre for Scottish merchants, but in the end of the fifteenth century it was succeeded by Middelburg and finally by Veere or Campvere. Pedro de Ayala, the Spanish ambassador who visited Scotland in the reign of James IV, gives a perhaps unduly favourable account of the country, and tells us that "the houses are good, all built of hewn stone, and provided with excellent doors, glass windows, and a great number of chimneys. All the furniture that is used in Italy, Spain, and France is to

be found in their dwellings." Ayala's contemporary, Hector Boece, the first Principal of the University of Aberdeen, laments the luxury and extravagance of his age.

In spite of the conflicts, foreign and domestic, of the sixteenth century, Scotland seems to have enjoyed a reasonable prosperity. Professor Hume Brown, the present Historiographer Royal, has expressed his considered opinion that "the Scotch peasant was not much worse off than his English brother," and that "his lot compared favourably with that of his class in Germany and in France." The characteristic note of descriptions of Scotland in the century of the Reformation is an indication of a rough plenty. The position is best stated in the words of Sir Thomas Craig, who wrote a treatise in support of the proposals for a union of the two kingdoms made by James VI after his succession to the throne of England. He admits that Scotland is poor as compared with other countries, but all countries are not prosperous in the same way. Scotland may be less fertile than England, but she lacks none of the necessaries of life—

"Fewer of her people die of starvation than is the case in England, France, or Italy . . . If we are able to subsist on the

food most ready to our mouths, our frugal wants should gain for us the loudest praise from all right-thinking men. . . . There is no country in which a man can live more pleasantly and delicately than in Scotland. Nowhere else are fish so plentiful. We have meat of every kind. Nowhere else will you find more tender beef and mutton or wildfowl more numerous. We eat barley bread as pure and white as that of England and France. Our servants are content with oatmeal, which makes them hardy and long-lived. The greater number of our farm hands eat bread made of peas and beans. . . . So though we have less money (and in that respect there is no comparison between us and our neighbours), yet we may console ourselves with the reflection that if our means are small our needs are small also."

The joke about Scottish poverty which, in later days, was to afford Dr. Johnson unfailing delectation, was not unknown when Craig wrote, for he concludes his description with the retort—

"We do not mind our neighbours sneering at our lack of wealth. For wealth and material resources are not everything: otherwise we should long ago have lost our

liberty and fallen under the dominion of the English."

We possess a table of Scottish exports compiled eleven years after the Union of the Crowns. It is divided into four compartments —"wares and commodities that the land yields," "the commodities that are made and wrought in the country," "the commodities that the sea yields," and "such foreign commodities as are imported and exported again yearly." The commodities that the land yields are chiefly the traditional Scottish products of hides and skins, which brought a total of £238,712 Scots, or less than £20,000 sterling. Other items are wheat, malt, flour, bread, beef, wool, and feathers. The export of whisky, or aquavitæ, was twenty-seven gallons, valued at £216 Scots, and the value of exported coal was £98,720 Scots, or about £8,000 sterling. Fish was exported to the value of £153,354 Scots, and it is interesting to notice the revival of herring fishing, which produced about two-thirds of this sum. Exports "maid and wrocht in the countrie, whairby the peopill are sett to labour," include cloth, linen, gloves, stockings, and shoes, and the total value is £169,097 Scots, or a little over £14,000 sterling. Sir Thomas Craig had looked forward to a great expansion of

Scottish trade and commerce in the seventeenth century, partly because he believed that the people were learning habits of industry and partly because he hoped for a legislative union with England. He speaks of an unwillingness to work in terms which recall the wish that used to be attributed to the Highlander—

> "O that the peats would cut themselves,
> The fish jump on the shore,
> And we into our beds might lie
> For aye and evermore."

The introduction of skilled workers would, he thought, effect a great improvement, and he would have encouraged English Merchant Companies to develop Scottish trade. The Merchant Company was unknown in Scotland, where the burghs were in control of foreign trade. The organization of the Convention of Royal Burghs greatly diminished the objections to this system, because it secured a general treatment of questions relating to foreign trade, but Scotland was much behind England in this respect, and in the paralysing effect of the continued existence of the ancient exclusive rights of trades and guilds. Neither England nor Scotland desired the union of the kingdoms which King James

had proposed and for which Craig adduced many cogent arguments, and the commercial fortunes of Scotland certainly suffered from the failure of the royal scheme. Miss Theodora Keith has recently shown, in an interesting and suggestive little book on the Commercial Relations of England and Scotland between 1603 and 1707, that the injury done to Scottish trade by English alien laws in the forty years that followed the Union of the Crowns was less than has been generally supposed, and, up to the outbreak of the Civil War, Scotland made considerable progress. Great efforts were made to improve the manufacture of cloth and of leather, soap and glass began to be made, and sugar-refining was introduced. The civil wars, and especially Cromwell's campaign in Scotland, were fatal to its prosperity, and the Union of the two countries, brought about by Cromwell, did not last long enough to allow of the possibility of a recovery. Contemporaries speak of the country as ruined, and the accounts during the Protectorate of Richard Cromwell, in 1659, confirm their statements. The deficit on the accounts of the government of Scotland for the year was £163,619 0*s.* 9½*d.*, and the total income was only £143,652 11*s.* 1*d.* Of this sum, £72,000 was raised by a direct assessment of £6,000 per month, distributed

over the various counties and burghs, and collected by committees appointed under acts or ordinances of the Parliament or the Protector. A not less unpopular excise duty on beer, ale, and whisky, introduced at the same time, produced £47,444 13*s.* 4*d.*, or about one-third of the revenue.

After the Restoration, Scottish merchants suffered severely from the operation of the English Navigation Act, while, at the same time, they roused English wrath by occasional successful attempts to evade it. This Act, originally passed by the Long Parliament before its expulsion by Cromwell in 1653, forbade the introduction into England, or into the English plantations or colonies, of goods which were not brought either in English vessels or in vessels of the country in which they were produced or manufactured. It struck so heavy a blow at the carrying trade of the Dutch that the two Protestant Republics of Holland and England were soon at war, but Scotland, being included in the Cromwellian Union, was not directly affected by it. All the English legislation of the years from 1642 to the spring of 1660 was regarded as invalid after the restoration of the monarchy, and the Navigation Act and the Union both ceased to exist. The Navigation Act was re-enacted by the first Parlia-

ment of Charles II in 1660, but the Union passed into oblivion, and, with it, free trade between Scotland and England, and the provisions of the Navigation Act were enforced against Scottish shipping. Scottish trade with Holland was interrupted by the wars waged between the English and the Dutch between 1665 and 1674, and at one period the Government feared a combination between the Dutch and the Covenanters of the south-west of Scotland. The Scots replied to the Navigation Act by a vigorous protective policy, and the reign of Charles II witnessed some commercial enterprises. Experiments in soap-making and sugar-refining were made in the early years of the reign, and about 1662 the Town Council of Glasgow built the harbour of Port Glasgow, and thus laid the foundations of the prosperity of their city. In the end of the century, there was a great development of Joint Stock Companies. Dr. W. R. Scott, who has investigated this subject with great care, and to whom we owe our knowledge of this part of Scottish history, estimates the capital devoted to Scottish manufactures between 1661 and 1685 at about £194,000. This development followed the Revolution of 1689, and is specially noticeable in the years 1693, 1694, and 1695, when the new government was

firmly established, and before the Darien scheme had made its exorbitant demands on Scottish investors. The most important commercial companies founded before the Revolution were the Wool-Card Manufactory at Leith, in 1663, the Glasgow Whaling and Soap Company in 1667, the Western Sugar Works of Glasgow in 1667, the Eastern Sugar Works, also of Glasgow, in 1669, the Royal Fishing Company (1670), and the New Mills Cloth Manufactory, established in Haddingtonshire in 1681. In the early 'nineties, there was some advance in the manufacture of linen and other textile fabrics, and in paper-making. The Bank of Scotland was founded in 1695 with a paid-up capital of £10,000, and the Darien Company in 1696. This ill-fated "Company trading to Africa and the Indies" was, in the words of Dr. Scott, "the keystone of the whole edifice of Scottish commercial policy," for protective measures and the retaliation which they provoked compelled the Scots to attempt the creation of new markets in Scottish colonies. An unsuccessful effort at the colonization of Nova Scotia had been made in the last years of James VI, who encouraged the scheme by selling baronetcies to subscribers of 6,000 marks, and after the Restoration, Scottish settlers had gone in considerable numbers to

the English plantations, whither Cromwell's Scottish prisoners of Dunbar and Worcester had preceded them, and attempts had been made to found Scottish plantations in New Jersey and in Carolina—in the former with some success. In 1693, the Scottish Parliament passed an "Act for a Company trading to Africa and the Indies," and granted it wide privileges, including the power of planting colonies, and a monopoly of trade to Africa, America, and the Indies, except the already existing English plantations. The Company was formed by William Paterson, the originator of the Bank of England, and he aimed at more than mere colonization, for the isthmus of Panama was selected in the hope of making it an open market for goods from East and West. The tragic history of the settlements is too long a story for these pages. In the end of 1698, about 1,200 Scots landed on the shores of the Gulf of Darien. The organization of the expedition was greatly inferior to its conception. The English Parliament, the English Colonies in North America, in the Barbadoes and in Jamaica, were all hostile to the settlers, who were also involved in disputes with the Spaniards. Disease and famine soon destroyed them, and when new colonists arrived, they found only empty huts. All we

can do here is to indicate the importance of the Darien scheme in Scottish commercial history. It was a far-reaching and ambitious project, for which the national resources were quite inadequate. Trade was only beginning to revive, and a report upon the burghs of Scotland, drawn up in 1692, shows how far the country was from anything resembling prosperity. The harbour of Ayr was ruinous, the High Street of Dumfries contained scarcely a habitable house, and in Glasgow itself "near five hundred houses were standing waste." The nominal capital of the Darien Company was to be £600,000, of which half was to be subscribed in England. The English subscription list was complete by the end of 1695, but proceedings in the English Parliament, antagonistic to the Company, immediately led to a withdrawal of the English subscribers. The whole character of the project was thus changed and it became a colonizing rather than a commercial Company, while, at the same time, it was a point of honour to support it in Scotland. When the subscription list was opened in Edinburgh early in 1696, £400,000 was subscribed. Only about half of this was actually paid up, but the amount was almost the same as the total of the capital (including some English capital) invested in Scottish manufactures since 1661.

Utterly inadequate as the paid-up capital was for the realization of the ambitions of the Company, it was an inconceivably heavy drain upon Scottish resources.

Much has been said about the connection between the Darien scheme and the legislative Union of 1707, but the Union was not, in the first place, the result of economic causes. The history of the Darien Company made it clear that the policy of protection which Scotland had followed since the Navigation Act could not avail for the expansion of Scottish trade, and therefore rendered the commercial classes in Scotland more ready to consider an alternative scheme of free trade. It also convinced the Scots that the Union of the Crowns was an unsatisfactory arrangement for Scottish commerce. But the driving force of the Union negotiations came from England, and no English Government and no English party was interested in the prosperity of Scottish merchants. The economic difficulties of the personal union were little felt in England, and projects of a Union might have failed under Queen Anne as they failed under James VI and under Charles II if there had not been another consideration which impelled the Whig ministers to take decisive action. During the rule of a monarchy so powerful as that of the Stuarts, the constitutional

problems created by the existence of two independent kingdoms under one king were solved easily enough. But with the fall of the House of Stuart, the Parliament in each country was becoming the real sovereign power in the realm, for the Scottish Parliament took the opportunity of claiming for itself, in 1689, the rights for which the Parliament of England had engaged in its long struggle with its kings. Some constitutional re-adjustment was therefore inevitable, if the two countries were to pursue one common national policy. The necessity for such a re-adjustment had been felt in England even in the reign of Charles II, when a union was proposed for constitutional reasons, and it was much more deeply realized in the reign of William III. In addition to the necessity of devising some means of administering two kingdoms possessing separate and equally powerful Parliaments under one Sovereign, the English ministers of the reign of Queen Anne had another motive for securing a Union. The security of the Hanoverian succession, in accordance with the English Act of Settlement, was the chief interest of the Whig party. Jacobitism was strong in England, and, should the Scots, on the death of Queen Anne, decide to recall the House of Stuart, the restoration of King James VIII in Scotland

might easily lead to the restoration of King James III in England. It was therefore essential to obtain, during the lifetime of the Queen, an incorporating Union which would merge the Kingdom of Scotland and the Kingdom of England in one United Kingdom of Great Britain, and to provide, on the basis of the Act of Settlement, for the succession to a single Crown. There must be no separate Parliament of any description in Scotland, nor any recognized organization which could repudiate an Act of Union, and a federal solution of the problem was therefore debarred. It was this consideration that determined the English ministers to bring about a Union, and, from their point of view, the economic necessity of free trade between the two countries was merely the means by which the Scots could be persuaded to accept an incorporating Union. They had complete faith in the efficacy of this inducement. A hundred years earlier, King James had remarked that if England would grant commercial equality the Scots would accept English Law in three days. Queen Anne's ministers did not ask so much, but they were equally certain that Scotland would accept Union upon terms, in other respects, dictated by England. When the Commissioners from the two countries met in the spring of 1706,

the English representatives made it clear that they could discuss no terms which did not involve "an entire Union." The Scottish members replied that they could discuss no proposals for an entire Union, with one and the same Parliament, unless it was admitted that "all the subjects of the United Kingdom of Great Britain shall have full freedom and intercourse of trade and navigation." The Treaty which was drawn up on these lines received the assent of both legislatures, and the wisdom of the Whig ministers of Queen Anne was thus vindicated. They trusted to the circumstance that the commercial classes in Scotland were Whigs and Presbyterians, and had therefore less objection than their Tory and Episcopalian fellow-countrymen to a Union which secured the Established Church and the Protestant succession. They were justified by the event; yet it was with great difficulty and amid general disapprobation that the Treaty was carried in Scotland. The country had, for many years, been attempting to work an elaborate system of Protection, and the importance of freedom of trade with England was not generally appreciated, while the burdens of English taxation were more than realized. The representative of the City of Glasgow in the Scottish Parliament consistently supported amendments which

would have destroyed the Treaty, and was one of the nineteen burgess members who voted for its rejection.

At first it seemed as if those who had opposed the Union on commercial grounds were to see their evil prognostications fulfilled. The change from the protective system brought about a period of economic distress. The Scottish cloth trade, depending for its home supply of raw material upon a poor quality of wool, came practically to an end when its manufactures of fine cloth were no longer protected against English competition. The great fish trade was seriously injured by the salt tax, and other grievances, real and imaginary, bulked largely in the popular imagination. Yet, even at the outset, the Union brought one substantial gain. Scottish capital had been depleted by the Darien scheme, and it was restored by a sum of £398,085 10*s.* paid by England to Scotland as the "Equivalent" for the share of the English National Debt which would fall upon Scotland and for the other losses consequent upon the Union. As time went on, the advantages of free trade with England and the English colonies came to be indisputable. The cattle trade greatly increased; the manufacture of linen, neglected in England, took the place of the cloth industry; the

tobacco trade, after some vicissitudes, made Glasgow a great centre of commerce, and just before the outbreak of the war of American independence, Glasgow imported more than fifty per cent. of the total British import of American tobacco, and exported a very large proportion of her import. Early in the eighteenth century, Paisley laid the foundation of the thread trade. A barley mill was erected about 1720, in spite of theological warnings about the iniquity of "raising a wind" by human contrivance. This rapid growth of prosperity was, for the most part, confined to the west of Scotland, and it was not until the second half of the eighteenth century that on the east coast new industries arose to replace the shipping trade which had been injured by the diversion of Scottish imports to land routes when the Borders ceased to be more than a geographical term. Tanneries, boot-making, and printing revived the prosperity of Edinburgh; collieries came to the rescue of Fife, desolated by a change in the course chosen by the herrings, and shipbuilding began in east coast ports. Linen manufacture became common in Forfarshire, and Aberdeen became famous for wool and stockings. It is, of course, impossible even to enter on the vast subject of the expansion of Scottish trade and industry

in the last century and a half, but it is, perhaps, worth while to point out the remarkable power of recovery which the country possessed. Glasgow seemed to be ruined by the revolt of the American Colonies and the repudiation of their debts to this country. It has been calculated that the sum owed to Glasgow, then a city of about 40,000 inhabitants, was about one million pounds sterling. "But," in the words of a learned Glasgow citizen, "it takes a good deal of ruining to ruin a place where the mercantile spirit has taken root. With all her losses Glasgow retained mercantile resources—the skill, the courage, the connections, the appliances—that could not be drained away, and she turned them straight into new channels. The same ships that brought the tobacco from the James or the Potomac now dropped anchor laden with the sugar and the rum of Jamaica or Saint Kitts."[1] A great trade in cotton was also built up, and carried Glasgow successfully through the interval between the days of the "Tobacco Lords" and those of the merchant princes of the iron trade.

It is necessary, in concluding this chapter, to refer to one aspect of Scottish industry. In speaking of the early extinction of villeinage

[1] *Old Glasgow Essays*, by the late Dr. J. O. Mitchell, p. 291.

in Scotland, we referred to the condition of workers in coal mines and in the manufacture of salt. The connection between the grave restrictions on their personal liberty up to the close of the eighteenth century and the mediæval institution of villeinage or serfdom is not easy to discover, nor is it clear what their position was when Craig wrote his denial of the existence of villeinage in Scotland. The most simple explanation is that when, by no legislative act, but by the pressure of economic conditions, the agricultural labourer, though continuing to pay rent in the form of personal services, came to be no longer tied to the land on which he lived, the absence of economic pressure left colliers and salters still in their old position. But the prolongation of their condition of dependence is certainly connected with a long series of acts for the punishment of "stark and masterful beggars," able-bodied men who exacted alms by violence. In 1597, the Scottish Parliament, following the regular custom, ordered that such beggars and their children should be employed "in common works," and that their period of service should extend to the term of their lives. Nine years later, special powers were given to masters of coalpits and saltpans to seize vagabonds and keep them in their service, and, at the same time, it was

enacted that no salter, collier, or coal-bearer might be employed by a new master without producing a sufficient testimonial from the master they had served, " or at least sufficient attestation of a reasonable cause of their removing, made in presence of a baillie or magistrate of the part where they came from." Masters might claim truant workers within a year and a day, and the truants were to be " repute and holden as thieves and punished in their bodies."

The servitude of colliers and salters is, therefore, not less closely connected with acts against vagabondage than with mediæval serfdom, and their condition in the seventeenth and eighteenth centuries is clearly distinguished from villeinage both by the possibility of showing " reasonable cause " for leaving their masters, and by the fact that they did not become subject to these restrictions by birth, but by being certified vagabonds or by being entered in the books of a coal mine or salt works. This distinction, important for the lawyer and for the historian, was, however, scarcely operative in practice, for the miners sent their children to earn wages at a very early age, and, if they were working in a mine at the age of puberty, they came under the disability of being compelled to remain there. Salt and coal were of such importance

to the welfare of the kingdom, and it was so necessary to maintain a supply of skilled workers, that the State acquiesced in, and even encouraged, in these industries, a system which it forbade, even in a milder form, in any other calling; *e.g.* in 1728, it was decided that a contract to serve as a fisherman on a particular boat for three terms of nineteen years was invalid "as being contrary to liberty." The law of 1606 continued to be vigorously enforced, and when, in 1701, the Scots Parliament adopted the principle of the English Habeas Corpus Act, colliers and salters were specially excepted from the operation of the new law. A collier could, of course, own property; it was decided in 1747 that he could be a member of a Town Council, and he was under no other legal disability than the very grave and humiliating restriction of which we have been speaking.

This abominable system was defended in the beginning of the eighteenth century with eloquence and ingenuity by the Scottish republican statesman, Fletcher of Saltoun, who advocated its extension to other kinds of labour, and it was not until the ministry of Lord North, in the reign of George III, that remedial measures were adopted. An Act of 1775, describing the condition of Scottish colliers and salters as "a state of

slavery and bondage," prohibited the continuance of the system by making it inapplicable to any one who entered upon work after the 1st of July, 1775. Legal processes were established by which those already working under the old conditions could obtain their freedom. But not only were there serious limitations of time (workers under twenty-one years of age had to serve other seven years, and workers between twenty-one and thirty-five other ten years), but the necessity of legal proceedings prevented many of the victims from taking advantage of their new legal rights, and twenty-four years later, in 1799, under the ministry of the younger Pitt, a new Act released " from their servitude " all " the colliers in Scotland who were bound colliers " in 1775.

Lord Cockburn, the judge, whose *Memorials of his Time* are an important source of Scottish history, and who was in his twentieth year when the Act of 1799 was passed, remarks on " the hereditary blackguardism which formed the second nature of these fixed underground gipsies," and on " the mysterious horror with which they were regarded." The blackguardism and the horror may explain the indifference of public opinion to their condition, an indifference which continued to be unmoved even by the measures of

enfranchisement. The colliers of 1799 owed nothing to those who were loudly demanding the rights of man. "People cared nothing for colliers on their own account," is the cynical remark of so strong a Whig as Lord Cockburn, "and," he adds, "the taste for improving the lower orders had not then begun to dawn."

CHAPTER VI

THE PARLIAMENT

The Union of the Kingdoms of England and Scotland in 1707 put an end to the existence of a legislative assembly to the history of which there attaches considerable historical interest. That interest does not depend upon the place in the national life which was filled by the Parliament. Throughout the Middle Ages there was little room in Scotland for debate of any kind, and none for the formal debates of an assembly to which the word "representative" could (though with serious qualifications) be applied. The Parliament of Scotland was apt to be the tool of a strong king or of the clique of nobles who were in the ascendancy when there was no strong king. After the Reformation the country possessed in the General Assembly of the Church a legislative body more really representative than the Parliament ever was, and when the Parliament was not obeying the King, it was following the lead of the Assembly. Like the Assembly,

it was suppressed by Cromwell, and, though it came to life again after the Restoration, it fell, for the most part, under the domination of the King and Privy Council. It was not until after the Revolution of 1689 that the Scottish Parliament came to be a great national force, and it had then less than twenty years of separate existence before it.

The real founder of the Scottish Parliament as a representative assembly was King Robert the Bruce. Before the War of Independence, the Parliament was the feudal Great Council, composed, like the Parliament of England before the days of Simon de Montfort and Edward I, solely of the great tenants-in-chief, lay and clerical. We have already noticed the great importance of Scottish burghs in the days of David I and his successors, and the burgesses of the Four Burghs of the South (Edinburgh, Berwick, Roxburgh, Stirling), or of the Hanse Burghs of the North (which grouped themselves round Aberdeen), held burghal conventions and entered into negotiations with the Crown, more specially when the Crown was in need of financial support. But the burgesses had no place in the Great Council of David I or of William the Lion or of the Alexanders. The Lords Spiritual were there, bishops, abbots and priors, for they were tenants who held their

ecclesiastical possessions directly from the Crown. All the laymen who held lands directly from the Crown might be there too, but, in actual practice, the right of attendance was claimed, or the duty of attendance was performed, only by the great men of the realm. But, in 1326, when King Robert I held a Parliament at the Abbey of Cambuskenneth, within sight of the field of Bannockburn, he summoned to it burgesses as well as "other free tenants of the kingdom."

King Robert's object was very practical. The Parliament of Cambuskenneth was called to settle the pecuniary relationships between the King and his people and to make provision for the expenses of the war. It was therefore clearly a matter of convenience that the burgesses should meet in the Parliament along with the bishops and the barons. There is a temptation to infer from Bruce's acquaintance with the Parliamentary system established in England by Edward I that he saw where Scotland might learn from her enemy, and that he realized the significance of the adage that what concerns all should be discussed by all. Some such considerations may have influenced him, but there are two points which make it doubtful whether we can safely attribute to Robert I any very wide vision of Parliamentary progress. The

language used about the Parliament of Cambuskenneth, "burgesses and all other free tenants of the kingdom," suggests that what was in the King's mind was merely a recognition of the position of royal burghs as corporate tenants-in-chief. It would be possible to discount the argument from terminology on the ground that such a phrase provided the simplest way of effecting a revolution, but the general attitude of Robert I to the burghs makes this explanation not very tenable. In granting the earldom of Moray to his nephew, Thomas Randolph, he gave him authority over the royal burghs of Elgin, Forres, and Nairn, so that "whereas they formerly held directly from ourselves, they shall now hold from the said Earl." If such grants had become frequent, they would have destroyed the independence of the numerous royal burghs of Scotland, and though the place which King Robert gave to the burgesses in Parliament enabled them, in the reign of his son and successor, to procure an Act which rendered such a grant invalid, yet the fact of its existence makes it difficult to argue that their summons to Cambuskenneth in 1326 was more than a convenient device for meeting the necessities by a special occasion. As far as the available evidence goes, the summons to burgesses appears to have been

regarded as an exceptional device throughout the rest of the fourteenth century. We do not know of their presence in Parliament again until thirty years had elapsed, and when they make their appearance, it is again at Councils which were specially concerned with financial questions. We do not know definitely of their presence as an essential part of all Parliaments until about the middle of the fifteenth century. They then became one of the three "Estates" of the realm, and about the same time, the word "Estates" came to be frequently used for "Parliament." The other two Estates were the Lords Spiritual and the Barons.

The method of election of burgess representatives seems to have developed, at first, without any deliberate attempt at its definition. Burgesses were in Parliament as tenants-in-chief of a royal burgh, and such burgesses as cared to come seem to have been allowed to present themselves. In the year 1367, there were so many burgesses present in Parliament that it was possible, in circumstances which will be explained later, to hold an election by which the powers of the burgess members were conferred upon a Committee consisting of two members each from Edinburgh, Aberdeen, Perth, Dundee, Montrose, Haddington, and Linlithgow. The others

went home "to attend to the harvest." This is the first instance of anything approaching an election of burgesses, and the Parliamentary procedure which appointed all important Committees of the Estates may perhaps contain the germ of the elective idea in Scotland. If an election was to be made when Parliament met, it might as well be made at home in the burgh, and in the beginning of the fifteenth century, when the appointment of Committees was becoming a general rule, burgh accounts begin to contain entries of payments made to Commissioners sent to the Estates. The idea of representation may have developed in this way; there is, at all events, no other trace of it in our records. The right of selection passed, in almost all cases, into the hands of the Town Councils, who exercised this power until the Reform Act of 1832. Only royal burghs, as holding directly from the Crown, sent Commissioners to Parliament, but there is at least one exception to this rule, for Glasgow, which did not become a royal burgh until the seventeenth century, sent a Commissioner to Parliament continuously from 1558. The representation of individual burghs was, until the seventeenth century, uncertain. Aberdeen, Dundee, Montrose, Linlithgow, Perth, Edinburgh and Haddington are the only

burghs which we know to have been represented in the fourteenth century. Twenty-seven burghs appear on the rolls of Parliament for the first time in the fifteenth century and some fourteen for the first time in the sixteenth century, and it is not until the seventeenth century that we find evidence of the representation of such remote burghs as Inverary, Dornoch, Fortrose, Wick, Campbeltown and Stranraer.

An important change in the constitution of Parliament was attempted by King James I on his return from his English captivity. He wished to use the smaller barons and landowners—a baron in the Scottish sense was a landowner who possessed certain powers of jurisdiction—against the great nobles. It was therefore desirable that they should attend Parliament. They had almost ceased to do so, and James failed to persuade them to appear. In 1427 he passed an Act which freed the small barons and freeholders from the nominal necessity of attendance, and ordered them to send representatives or commissioners of the shires. Each shire was to send " two or more wise men " in accordance with the extent of its area, except the two small shires of Clackmannan and Kinross, which were to send one member each. This was not, in theory, the English system of

representation, for the English voter had no right to be present in Parliament, and his representative did more than merely save him the trouble of attendance. The Act of 1427 was not operative and its provisions were soon forgotten. Small freeholders were sometimes punished for non-attendance, and Acts were passed to relieve them from the occasional arbitrary infliction of a partially obsolete penalty. The lesser freeholders, as a body, continued to absent themselves from Parliament, until, at the time of the Reformation, they discovered that they wished to be present, and petitioned the Parliament of 1560 for an acknowledgment of their rights. The Parliament revived the Act of 1427, but it was again inoperative, and it was not until 1585 that "the gude and lovable" Act of the first James really became the law of the land. There was henceforth to be an election of "two wise men being the King's freeholders, resident indwellers" of a shire and the electors were to be "all freeholders of the King under the degree of prelates and lords of Parliament," possessed of "forty shillings land in free tenandry of the King," and of a dwelling and residence within the shire. The Act was ratified in 1587, when King James came of age, and it regulated county representation until the Act of 1832, though it is

not until the reign of Charles I that we find representatives from Argyleshire and Sutherland, and there is no evidence of the representation of Kinross-shire until the end of the reign of Charles II. The restriction of the vote to forty-shilling freeholders differentiates the Act of James VI from that of James I, and it was modified in 1681, but it operated to confine the right of voting to a very small number of individuals, and the electors for Scottish counties, before the Reform Act, varied in number from about ten to about two hundred. A table constructed after the census of 1821 shows, for example, that the county of Aberdeen, with a population (apart from the burgh of Aberdeen) of over a hundred thousand, had one hundred and eighty-eight electors. There were fifteen electors in Bute, nineteen in Clackmannan, twenty-one in Nairn, and twenty-three in Sutherland. With the admission of the right of attendance of representatives of the smaller barons in 1587, the constitution of the Scottish Parliament was finally settled, except for the variations in the representation of the clerical Estate, according as the Church was Episcopal or Presbyterian (*cf.* pp. 138 *et seq.*). The great Officers of State—the Lord Chancellor, the Lord High Treasurer, the Lord Privy Seal, the Secretary, the Clerk of Register, the Lord Advocate, the

Lord Justice Clerk, and the Treasurer's Deputy—had all official place and vote in Parliament. The eldest sons of the great nobles had the right of being present at meetings of the Estates, but might neither speak nor vote.

The Scottish Parliament was a single-Chamber legislature, presided over, as a rule, by the Lord Chancellor. If the King was not present in Parliament, the Regalia were carried to the meeting, and the royal assent was given by touching the bills or "articles" with the sceptre. King James I, when he tried to introduce representatives of the smaller barons into Parliament, attempted also to create the office of a Speaker. A wise and expert man was to be elected by the commissioners of the shires to be "the common speaker of the Parliament," and it was to be his duty to bring forward in Parliament all causes affecting the Commons. The failure of the attempt to secure shire-representation involved the failure of the effort to create the office of Speaker, and nothing more is heard of it.

The weakness of the Parliament was largely due to the absence, before the Reformation, of representatives of the shires, whose combination with burgess members was the strength of the English House of Commons.

Another factor was the delegation of the work of Parliament to Committees. As early as the end of the fourteenth century the Parliament sometimes met in full assembly only for the purpose of appointing a Committee with power to act in its name. The expedient was not peculiar to the history of Scotland, but it developed in Scotland in an unusual manner. We have already quoted the first instance on record, when, in 1367, certain persons were elected by the three Estates to hold the Parliament, and the rest were allowed to go home "because of the harvest." Two years later almost the same phraseology is employed, but the reason assigned is "the difficulty and the scarcity of the time." In 1370, a similar step was again taken, but no reason is given beyond the statement that it did not seem expedient that the whole Parliament should deal with the business, and in 1372 the precedent of 1370 was deliberately and avowedly followed.

The political history of the years 1367–71 makes it clear that the device of superseding the full Parliament by a Committee, originated when a group of nobles wished to secure the control of affairs under the rule of a weak and wayward king, David II, and it also seems clear that the expedient diminished the influence of the burgess members, none

of whom were on the Committee appointed in 1369 to conduct the general business of Parliament. This may have been the simple result of the unwillingness of the burgesses to remain away from home, but in the fifteenth century we have some evidence of a deliberate attempt to employ the device to reduce the importance of the burgess element. This interpretation is suggested by the facts that the Committee of the Lords of the Articles, as it was called, existed, in the earlier half of the fifteenth century, only during minorities of the Crown and not under the personal rule of a strong king like James I or James II, and that, when in the end of the fifteenth century, the Committee had become a normal part of Parliamentary procedure, the proportion of its burgess members varied as the King was weak or strong. Thus, for example, in the last troubled years of the reign of James III, we have a Committee composed, in 1485, of three burgesses, six barons, and six clergy, and in 1488, of five burgesses, fourteen barons, and nine clergy, whereas, in 1503, when James IV was at the height of his power, the numbers were seven burgesses, six barons, and six clergy. The King, relying on popular support against the barons, naturally welcomed a large proportion of burgesses, while it was in the baronial interest to reduce this propor-

tion. It is possible that the device of a Committee provided the only means of limiting the number of burgess members of Parliament, for there was no legislation which determined the number of representatives from a burgh. The number of two came to be usual, and in 1619 it was reduced to one for each burgh with the exception of Edinburgh, but this limitation was made, not by Parliament, but by the Convention of Royal Burghs.

Whether or not the barons, in the earlier centuries of Scottish Parliamentary history, employed the Committee of the Articles to diminish burgess influence, there can be no doubt that, in the later centuries, the Crown employed it to obtain a complete control over the Parliament. In the course of the sixteenth century, it came to be the custom that the Estates should meet in full only on the first and the last day of its session; on the first, to appoint the Lords of the Articles, and, on the last, to ratify what they had done. The key to the situation lay, therefore, in the method of selecting this Committee, and James VI, after his succession to the throne of England, acquired complete control over its appointment. In 1606, in 1607, and again in 1609, he nominated the Lords of the Articles, but there were obvious objections to

so open a dictation, and James devised a more cunning scheme. We have indications of a sixteenth-century custom by which the Lords Spiritual chose the representatives of the Lords Temporal and the Lords Temporal chose the representatives of the Lords Spiritual, while the burgesses selected their own. After the restoration of the Estate of Lords Spiritual by King James, the bishops were necessarily dependent on the sovereign, and James adapted the old custom to suit the existing situation. In 1612, he ordered that the bishops should select the representatives of the nobles, and the nobles those of the bishops. The Lords Temporal could not find bishops opposed to the royal policy, and the bishops could be trusted to select nobles who would support it. The Lords Spiritual and Temporal were then to select representatives for the small barons and the burgesses. We have detailed information of the working out of this scheme on the first occasion on which it was tried. Sir Thomas Hamilton, afterwards the first Earl of Haddington, was King James's Secretary of State, and was entrusted with the carrying out of this project, and he left a memorandum which describes its reception by the different Estates. The Government had prepared a list of the members of each Estate whom it wished to

have as Lords of the Articles. The nobles were indignant, and naturally regarded the whole thing as a breach of their privileges, and they changed the names of the selected bishops "as they had men to make change of." But such changes must be numerically very small, and they could not have any political significance. The bishops obediently chose the nobles whose names had been suggested to them. When the Lords Spiritual and Temporal met to select the representatives of the small barons and the burgesses, the nobles again raised objections, and made such changes as they could. This method was followed, with some changes of detail, until the end of the personal government of Charles I in 1638, and it put the Parliament completely under royal control. In 1640, a free Parliament ordered that the Lords of the Articles should be elected by the whole body of members, the three Estates voting together, and it devised rules of procedure suitable for a free legislative assembly. These rules were in force from the Restoration of 1660 until the beginning of 1663, and it is significant that almost all the instances of Scottish Parliamentary opposition to the will of Charles II are to be found within these years. The Jacobean system of election, restored by royal command, in 1663, con-

tinued, with slight variations, to be employed till the Revolution, when the Lords of the Articles, as a standing Committee with powers of initiating legislation, were abolished.

The effect of the Committee of the Articles upon the power and authority of Parliament under the later Stuart kings may be illustrated by two seventeenth-century comments. An English satirist, who accompanied King James on his visit to Scotland in 1617, indulged in a gibe at Scottish Parliaments which lasted three days and produced statutes of three lines, and the Scottish defence was that brevity of Parliaments is a proof of national wisdom and brevity of statutes an indication of national justice. In the reign of Charles II, an account of the constitution of the kingdom of Scotland was written as an Appendix to Spottiswoode's *Church History*. The writer tells that " no dissents or protests are allowed in Public Acts, but are accounted treasonable." The King had nothing to fear from the Parliament of Scotland.

The delegation of the work of Parliament to Committees is important in another respect. The Great Council of the Kingdom was not merely a legislative, but also an administrative and judicial body, and its best work was done, in the mediæval period, in the promulgation of wise and just measures

for the administration of justice and the maintenance of internal peace. On the second occasion on which we read of the appointment of the legislative Committee, the Lords of the Articles, in 1369, we also read of the appointment of a Committee, afterwards known as the Lords Auditors, to transact the judicial business of the Parliament, and this Judicial Committee continued to be a more regular part of Parliamentary procedure than the Lords of the Articles themselves. An additional Committee was instituted by James I in 1435, and James IV organized the Privy Council as a Court of Justice. But when, in 1532, James V instituted " a college of cunning and wise men both of temporal and spiritual estate " to form the Court of Session and to take over the powers of the Lords Auditors in civil cases, the new College of Justice was still regarded as essentially a Committee of the Estates. The Court, in its early years, did not sit during the meeting of Parliament, at which the judges were expected to be present.

The comparative failure of the Scottish Parliament to influence the general history of the country must, as we have seen, be ascribed partly to its composition, partly to its methods, and partly to the accidents which placed the governance of Scotland in the hands

of others. Its unrepresentative character prevented its development after the Reformation when it had to face the rivalry of the democratic General Assembly of the Church. During the period of the Cromwellian Union, steps were taken which might have made it really representative. The thirty Scottish members who sat in the Cromwellian Parliaments were elected by voters possessed of a property qualification—an estate of £200, real or personal. The abolition of the exclusive powers of the Town Councils and of the few forty-shilling freeholders was, unfortunately, accompanied by many new disqualifications of a political character, and in Scotland, as in England, the statesmanlike ideals of the Protector had to wait until the nineteenth century for their realization.

It is both creditable and surprising that the Parliament, with this history behind it, should have availed itself so fully of the opportunity afforded by the fall of King James VII. It had never been in constitutional conflict with the monarchy, and it was therefore possible to assume that its records represented not the subservience of the Parliament to the Crown, but the agreement of the Crown with the Parliament. This assumption was at once made, and the misdeeds of James VII were treated as unquestionable breaches of the law.

The English Whigs had to be content with describing King James II as having, by his flight, abdicated the throne. No such euphemistic language was employed in Scotland. King James VII had been guilty of a long catalogue of crimes; he had forfeited the right to the Crown. This bold assertion is the keynote to the brief subsequent history of the Scottish Parliament, which thenceforward aimed at being the real ruler of the country, and in the reign of William III and in the early years of the reign of Queen Anne, the Parliament was becoming the centre of national feeling and the assertor of national rights.

CHRONOLOGICAL TABLE

A.D.

c. 80–85. Agricola's invasion: establishment of forts between the Forth and the Clyde.

120. Hadrian's wall between the Tyne and the Solway.

140. Wall of Antoninus Pius between Forth and Clyde.

180. Abandonment of the wall of Antoninus Pius.

208. Invasion of the Emperor Severus.

368. Last Roman invasion under Theodosius.

500–600. Conquest of Dalriada by the Scots.

500–600. Conquest of the Lothians by the Angles of Northumbria.

563. Landing of St. Columba in Iona: Conversion of the Picts.

Conversion of the Angles of Lothian by Paulinus.

635. Pagan reaction under Penda of Mercia, followed by re-conversion of the Lothians from Iona.

664. Synod of Whitby. Northumbria adopts Roman Christianity. The Picts and the Scots nominally follow the example of the Angles.

685. Defeat of Egfrith of Northumbria at Nectansmere.

730. Angus Mac Fergus, King of the Picts, becomes overlord of the Scots of Dalriada and the Britons of Strathclyde.

c. 800. Norse settlements in Scotland commence.

818. Great Danish raid on Iona. Dunkeld becomes the ecclesiastical capital.

844. Kenneth Mac Alpin, King of the Scots of Dalriada, succeeds to the throne of Pictland, and Scotland, north of the Forth, becomes, theoretically, one kingdom.

937. Constantine III defeated at Brunanburh by Athelstan of England.

1018. Malcolm II defeats the Northumbrians at Carham and annexes the Lothians.

Duncan, grandson of Malcolm II, succeeds to the throne of Strathclyde.

A.D.

1034. Duncan becomes king of the whole of modern Scotland.
1040. Macbeth defeats and kills Duncan.
1057. Malcolm III (Canmore) defeats Macbeth and succeeds to the throne.
1070. Marriage of Malcolm to the Saxon princess, Margaret.
Establishment of Roman Christianity in Scotland.
1093. Death of Malcolm III in an invasion of England.
Celtic re-action.
1097. Accession of Edgar, son of Malcolm III.
1107. Accession of Alexander I, brother of Edgar.
1124. Accession of David I, brother of Edgar and Alexander.
1138. David defeated at the Battle of the Standard (Northallerton).
1153. Accession of Malcolm IV (the Maiden), grandson of David I.
1165. Accession of William the Lion, brother of Malcolm IV.
1174. Capture of William the Lion and Treaty of Falaise, by which Scotland acknowledges the overlordship of England.
1188. Pope Clement III declares that the Scottish Church is independent of the English Church.
1189. Agreement between William the Lion and Richard I, by which the Treaty of Falaise is cancelled.
1214. Accession of Alexander II, son of William the Lion.
1249. Accession of Alexander III, son of Alexander II.
1263. Defeat of Haco of Norway at the battle of Largs.
1266. Eric of Norway cedes the Hebrides to Scotland, for a money payment.
1286. Death of Alexander III and succession of the "Maid of Norway," daughter of Eric of Norway and Margaret, daughter of Alexander III.
1290. Death of the Maid of Norway.
1291. The claimants to the throne submit their pretensions to Edward I of England at Norham-on-Tweed.
1292. Accession of John Balliol as a vassal king.
1296. Rebellion of John Balliol.
Sack of Berwick-on-Tweed by Edward I.
Defeat of the Scots at Dunbar, and triumphal march of Edward through Scotland.
1297. Victory of Wallace at Stirling Bridge.
1298. Defeat of Wallace at Falkirk.
1305. Execution of Wallace.
1306. Murder of John Comyn at Dumfries.
Coronation of Bruce.
Defeat of Bruce at Methven.

A.D.

1307. Victory of Bruce at Loudon Hill.
Death of Edward I at Burgh-on-Sands.
1314. Victory of Bruce at Bannockburn (June 24).
1322. Defeat of the English near Biland Abbey.
1327. Treaty of Northampton and English acknowledgment of the Independence of Scotland.
1329. Death of Robert I, and accession of David II.
1332. Invasion of Scotland by Edward Balliol.
Defeat of the Scots at Dupplin.
Flight of Edward Balliol from Scotland.
1333. Defeat of the Scots by Edward III at Halidon Hill.
1346. Scottish invasion of England in the French interest.
Defeat and capture of David II at Neville's Cross, near Durham.
1355. Scottish victory at Nesbit.
1357. Release of David II.
1371. Accession of Robert II (the first king of the House of Stewart).
1388. Battle of Otterburn.
1390. Accession of Robert III.
1395. Death of John Barbour, author of *The Bruce*.
Battle of the Clans at Perth.
1402. Death of the Duke of Rothesay (elder son of Robert III).
Scottish defeat at Homildon Hill.
1406. Capture of Prince James (younger son of Robert III) by the English.
Death of Robert III.
Regency of Robert, Duke of Albany.
1407. James Resby, an Englishman, burned for heresy at Perth.
1411. Battle of Harlaw.
Foundation of the University of St. Andrews.
1420. Death of Albany. Regency of his son, Murdoc, Duke of Albany.
Scots and French, under John Stewart, Earl of Buchan, defeat the English at Baugé.
1424. Release of King James I.
Defeat of the French and Scots by the English at Verneuil.
1425. Execution of the Duke of Albany.
1436. Defeat of the English at Piperden, near Berwick.
1437. Murder of James I and accession of James II.
1439. The sixth Earl of Douglas and his brother beheaded.
1448. Scottish victory at Sark or Lochmaben Stone.

A.D.

1451. Foundation of the University of Glasgow.
Murder of the eighth Earl of Douglas by James II.
1455. Defeat and forfeiture of the Douglases.
1460. James II accidentally killed at the siege of Roxburgh.
Accession of James III.
1468. Orkney and Shetland pledged to Scotland by the marriage contract of James III and the Princess Margaret of Denmark.
1472. The Earldom of Orkney and the Lordship of Shetland annexed to the Crown.
St. Andrews made an Archbishopric.
1482. Insurrection of the Duke of Albany, brother of James III.
1488. Defeat and death of James III at Sauchieburn.
Accession of James IV.
Rise of a Scottish Navy.
1492. Glasgow made an Archbishopric.
1495. Foundation of the University of Aberdeen.
1503. Marriage of James IV to the Princess Margaret, daughter of Henry VII of England.
1508. Introduction of printing into Scotland.
1513. Defeat and death of James IV at Flodden (Sept. 9).
Accession of James V.
1515. Regency of John, Duke of Albany.
1524. Installation of the young King.
1528. Martyrdom of Patrick Hamilton.
1532. Institution of the College of Justice.
1542. Defeat of the Scots at Solway Moss.
Death of James V (Dec. 14).
Accession of Queen Mary.
Regency of the Earl of Arran.
1543. Circulation of the Bible permitted by Parliament.
1544. First invasion of Scotland by the Earl of Hertford.
1545. Scottish victory at Ancrum Moor.
Second invasion of the Earl of Hertford.
1546. Martyrdom of George Wishart (March 1).
Murder of Cardinal Beaton (May 29).
1547. Third invasion of Hertford (now Protector Somerset).
Scottish defeat at Pinkie.
1548. Queen Mary sent to France.
1554. Regency of the Queen-Mother, Mary of Guise.
1558. Marriage of Queen Mary to the Dauphin.
1559. Accession of the Dauphin as Francis II.
Destruction of religious buildings in Scotland.
1560. Death of the Queen Regent.

A.D.

1560. Adoption of Protestantism by the Scottish Parliament.
Death of Francis II.
1561. Return of Queen Mary to Scotland.
1562. Suppression of the Huntly rebellion.
1565. Marriage of Queen Mary to Henry, Lord Darnley.
1566. Murder of David Rizzio, Secretary to Queen Mary.
Birth of Prince James.
1567. Murder of Darnley (Feb. 10).
Seizure of Queen Mary by Bothwell (April 24).
Marriage of Queen Mary to Bothwell (May 15).
Surrender of Queen Mary at Carberry Hill (June 15).
Queen Mary imprisoned in Lochleven Castle (June 16).
Abdication of Queen Mary.
Accession of James VI.
Regency of the Earl of Murray.
Ratification of the Acts of 1560 establishing the Protestant religion.
1568. Escape of Queen Mary from Lochleven (May 2).
Queen Mary's army defeated at Langside (May 13).
Flight of Queen Mary to England.
1570. Assassination of the Regent Murray.
Regency of the Earl of Lennox.
1571. Death of Lennox in a skirmish at Stirling.
Regency of the Earl of Mar.
1572. Death of the Regent Mar.
Regency of the Earl of Morton.
Death of John Knox.
1573. Surrender of Edinburgh Castle to the King's party.
1574. Return of Andrew Melville to Scotland.
1581. Adoption of the Second Book of Discipline by the General Assembly.
1578. King James assumes the government.
1581. Execution of the Earl of Morton.
1582. King James captured in the Raid of Ruthven.
1583. Escape of King James.
1584. Foundation of the University of Edinburgh.
"The Black Acts" (*cf.* p. 146).
1585. Offensive and defensive league between James and Elizabeth.
1587. Execution of Queen Mary (Feb. 8).
1592. "The Golden Acts" (*cf.* p. 147).
1593. Foundation of Marischal College, Aberdeen.
1600. The Gowrie Conspiracy.
1603. Proclamation of James VI as James I of England (March 24).

A.D.

1603. Arrival of King James in London (May 7).
1609. Plantation of Ulster.
1610. The First Episcopacy.
1617. Visit of King James to Scotland.
1625. Death of King James VI.
Accession of King Charles I.
1633. First visit of Charles I to Scotland.
1636. Issue of a Book of Canons.
1637. Imposition of the New Prayer Book.
Riot in St. Giles's (July 23).
1638. Signature of the National Covenant.
Abolition of Episcopacy by the Glasgow Assembly.
1639. The First Bishops' War.
Pacification of Berwick.
1640. The Second Bishops' War. Invasion of England and Treaty of Ripon.
1641. Second visit of Charles I to Scotland.
1643. The Solemn League and Covenant.
1644. Battle of Marston Moor.
Montrose's victories at Tippermuir and Aberdeen.
Sack of Aberdeen.
1645. Battle of Naseby.
Montrose's victories at Inverlochy, Auldearn, Alford and Kilsyth.
Montrose's defeat at Philiphaugh.
1646. Surrender of the King to the Scots.
Conferences at Newcastle.
Surrender of the King to the English Parliament.
1647–8. "The Engagement" to restore the King.
1648. Defeat of Hamilton and the "Engagers," by Cromwell at Preston.
1649. Execution of Charles I.
Proclamation of Charles II in Scotland.
1650. Execution of Montrose.
Arrival of Charles II in Scotland.
Defeat of the Scots by Cromwell at Dunbar.
1651. Coronation of Charles II at Scone.
Defeat of the Scots by Cromwell at Worcester.
1653. Suppression of the General Assembly.
1654. Ordinance for the Union of the Commonwealths of England and Scotland.
Royalist Rising suppressed in Scotland.
1658. Death of Cromwell.
1660. Restoration of King Charles II.
1661. Execution of the Marquis of Argyll.

A.D.

1661. The Second Episcopacy.
Expulsion of Presbyterian ministers.
1663. Administration of the Earl of Rothes.
1666. The Pentland Rising.
1667. Administration of Lauderdale.
1670. Proposals for a Union with England.
1679. Murder of Archbishop Sharp (May 3).
Covenanting victory at Drumclog (June 1).
Covenanting defeat at Bothwell Bridge (June 22).
Administration of the Duke of York.
1680–87. "The Killing Time."
1685. Death of Charles II.
Accession of James VII.
Rebellion and execution of Argyll.
1687. Declaration of Indulgence.
1688. "Rabbling" of the Episcopal clergy.
1689. Deposition of James VII by a Convention Parliament.
Offer of the Crown to William and Mary.
Dundee's Rising and Battle of Killiecrankie.
1690. Re-establishment of Presbytery.
1692. Massacre of Glencoe.
1698. Failure of the Darien Scheme.
1702. Death of William II of Scotland. Accession of Anne.
1704. The Act of Security.
1705. Approval by the Scottish Parliament of negotiations for a Union with England.
1707. Union of the kingdoms of Scotland and England into the United Kingdom of Great Britain.
1712. The Patronage Act.
1714. Death of Queen Anne.
Accession of George I.
1715. Jacobite Rising under the Earl of Mar.
Battle of Sheriffmuir (Nov. 13).
1719. Jacobite Rising defeated at Glenshiel.
1727. Accession of George II.
1736. Porteous Riot in Edinburgh.
1745. Jacobite Rising under Prince Charles Edward.
Entry of the Prince into Edinburgh (Sept. 17).
Jacobite victory at Prestonpans (Sept. 21).
The Prince at Derby (Dec. 4–7).
1746. Jacobite victory at Falkirk (Jan. 17).
Defeat of Prince Charles Edward at Culloden (April 16).

A.D.

1747. Abolition of the hereditary jurisdictions.
1759. Birth of Robert Burns.
1760. Accession of George III.
1770. Birth of Sir Walter Scott.
1793. Thomas Muir transported for sedition.
1796. Death of Burns.
1801. Union with Ireland.
1820. Accession of George IV.
1822. George IV pays the first State Visit to Scotland since the coronation of Charles I in 1633.
1830. Accession of William IV.
1832. Death of Scott.
1837. Accession of Queen Victoria.
1843. Disruption of the Church of Scotland, and rise of the Free Church.
1900. Union of the Free Church and the United Presbyterian Church.
1901. Death of Queen Victoria.
Accession of Edward VII.
1910. Death of Edward VII.
Accession of George V.

NOTE ON BOOKS

THE last few years have seen the production of two standard works on the general history of Scotland: A. Lang, *A History of Scotland from the Roman Occupation*, in four volumes, and P. Hume Brown, *History of Scotland*, in three volumes. Mr. Lang's narrative ends with the Jacobite Rising of 1745–6, and Prof. Hume Brown's with the Disruption of 1843; in an illustrated edition Prof. Hume Brown has brought the story up to 1911. These two books have superseded, for the general reader, the older works by Patrick Fraser Tytler, *History of Scotland from the Accession of Alexander III to the Union*, and John Hill Burton, *History of Scotland from Agricola's Invasion*. Among single-volume histories may be mentioned A. Lang, *A Short History of Scotland*; R. S. Rait, *Scotland*, in "The Making of the Nations" series, and D. MacMillan, *A Short History of the Scottish People*.

SPECIAL PERIODS.—For the early history of Scotland F. W. Skene, *Celtic Scotland*, is still the only book to which students can easily be referred, though many of its conclusions are now challenged. E. W. Robertson, *Scotland under her Early Kings*, is a reliable and suggestive guide to the eleventh, twelfth, and thirteenth centuries. For the War of Independence, which is naturally treated at considerable length in the general histories, the reader may also consult Sir Herbert Maxwell's *Robert the Bruce* in the "Heroes of the Nations" series, and E. M. Barron, *The Scottish War of Independence*. There is no more recent special study of the period from the War of Independence to the Reformation than Drummond of Hawthornden's *History of the Five Jameses*, but the prefaces to the *Accounts of the Lord High Treasurer of Scotland* and to the *Exchequer Rolls of Scotland* throw much light upon political history. For the period of the Reformation, the following books may be recommended (apart from Church histories): P. Hume Brown, *George Buchanan*; F. Mac Cunn, *Mary Stuart*; D. Hay Fleming, *Mary, Queen of Scots*; W. L. Mathieson, *Politics and Religion in Scotland*,

1560–1695 (2 vols.). Mr. Hay Fleming's numerous notes contain references to much of the voluminous literature on Mary Stuart; the most important works which have appeared since the publication of his book in 1897 are A. Lang, *The Mystery of Mary Stuart*, and T. F. Henderson, *Life of Mary Queen of Scots* (2 vols.). Mr. Mathieson's book, already mentioned, covers the seventeenth century, and he has continued his theme in *Scotland and the Union* and *The Awakening of Scotland*, which deal respectively with the years from 1695–1747 and from 1747–97. H. W. Meikle, *Scotland and the French Revolution*, deals chiefly with the twenty years from 1782–1802.

Special Subjects.—The Church. The most useful Church histories are Cunningham, *The Church History of Scotland from the Commencement of the Christian Era to the Present (nineteenth) Century*, 2 vols.; G. Grub, *An Ecclesiastical History of Scotland*, 4 vols., and Bellesheim, *History of the Catholic Church in Scotland*, 4 vols. (translated, D. Hunter Blair). Cunningham wrote from the Presbyterian standpoint, Grub from the Episcopalian, and Bellesheim from the Roman Catholic. A most valuable work on the subject, now in course of publication, is A. R. MacEwen, *A History of the Church in Scotland*, of which one volume has appeared, bringing the story up to the murder of Cardinal Beaton in 1546. Other important books on mediæval Church history are Dowden, *The Mediæval Church in Scotland*, and Herkless and Hannay, *The Archbishops of St. Andrews*. For the Reformation, David Laing's great edition of the *Works of John Knox*, vols. i and ii of which contain Knox's *History of the Reformation in Scotland*, should be studied along with Hume Brown, *Life of John Knox;* Lang, *John Knox and the Reformation*, and D. Hay Fleming, *The Reformation in Scotland*. The best books on the Covenanting period are the general histories and the Church histories.

Parliament and the Constitution.—The chief sources of information are to be found in the series of official publications which includes the *Acts of the Parliaments of Scotland*, the *Exchequer Rolls of Scotland*, the *Accounts of the Lord High Treasurer of Scotland*, the *Register of the Privy Council of Scotland*, and the *Register of the Great Seal of Scotland*. Other works are Cosmo Innes, *Scotch Legal Antiquities* and *Scotland in the Middle Ages;* Rait, *The Scottish Parliament before the Union of the Crowns;* Terry, *The Scottish Parliament*, 1603–1707, and Neilson, *Trial by Combat*.

Social and Economic History.—There are not many books on this topic, but the reader may be referred to Cosmo

Innes, *Sketches of Early Scotch History, The Ledger of Andrew Halyburton* (edited by Cosmo Innes); Davidson and Gray, *The Scottish Staple at Veere;* Rooseboom, *The Scottish Staple in the Netherlands;* Theodore Keith, *Commercial Relations of England and Scotland,* 1603–1707; W. R. Scott, *The Constitution and Finance of English, Scottish, and Irish Joint Stock Companies to* 1720.

The volumes of the *Scottish Historical Review* contain valuable articles on almost every aspect and period of Scottish History.

INDEX

ABERDEEN, 47, 48, 129, 195, 196, 218, 226
Adamnan, 173
Agricultural Societies, 193
Albany, Regent for James I, 48, 52
Albany, brother of James III, 59
Albany, Regent for James V, 62, 64
Alexander I, 15, 16, 118, 119, 120
Alexander II, 17, 89, 97, 199
Alexander III, 18, 19, 27, 30, 199, 200
Ancrum, 27
Angles, 11
Angus, Earls of, 59, 64, 66, 68
Angus Mac Fergus, 12
Annandale, 51, 85
Anne, Queen, 214–15, 243
Arkinholm, 58
Arran, Earls of, 64, 68, 71, 136, 138
"Articles," Lords of the, 235–40
Ayr, 26

Balliol, Edward, 44, 46
Balliol, John, 33, 34, 36
Bannockburn, 39, 40, 46
Beaton, Cardinal, 67, 127
Berwick, 34, 198, 200, 226
Birgham, Treaty of, 32
"Black Acts," the, 146–7
Black, David, 148–9
Blantyre, 23
Bonds of manrent, 97–9
Boniface VIII, 123
Books of Discipline, 139–40, 142–5
Bothwell Bridge, 167
Bothwell, Earl of, 73, 96
Britons, 10, 12
Bruce, Edward, 39
Bruce, Robert, 31
Bruce. *See* Robert I
Bruce, Family of, 84
Burns, Robert, 80

Caithness, 25
Caledonians, 11
Cambuskenneth, 227
Cameron, Richard, 168, 169
Carham, 13, 83
Celts, 10, 11, 14, 83, 101–14
Celtic Church, 117
Charles I, 76–9, 154–62, 239
Charles II, 78, 108, 162–8, 209, 213, 214, 239
Charles Edward, Prince, 79, 109
Claverhouse, 167
Clement III, 121
Clement VII, 128
Colliers, condition of, 219–24

Comyn, John (the Red), 37, 40, 44, 46, 123
Confessions of Faith, 139, 160, 169
Covenants, The, 76–7, 134, 156–68
Craig, Sir Thomas, 180, 203, 205
Crichton, Sir William, 53, 55
Cromarty, 26
Cromwell, Oliver, 162–3, 207
Cromwell, Richard, 207
Culloden, 79
Cumbria, 17
Cupar, 147

Dalriada, 11
Danes, 13
Darien Company, 211–12
Darnley, Lord, 71, 72–4
David I, 16, 17, 84–6, 89, 101, 114, 118, 120, 198, 199
David II, 44, 50
Dingwall, 26, 47
Disruption, The, 171
Donald Bane, 15
Douglas, the Black, 39, 50
Douglas, House of, 49–58, 64
Drumclog, 167
Dunbar, 163
Duncan, 13

Eadmer, 118, 120
Edgar, 15, 18
Edinburgh, 15, 54, 69, 75, 99, 138, 148, 149, 156, 167, 195, 197, 218, 226
Edward I of England, 26, 29, 30, 33, 34, 36, 46
Edward II of England, 38
Edward III of England, 42, 44, 46
Elgin, 94, 228
Elizabeth of England, 69, 72, 73
Elphinstone, Bishop, 60, 125
"Engagement, The," 163

Falaise, Treaty of, 17, 27, 120, 121
Falkirk, 39
Flemings, 198
Flodden, 61, 64, 129
Forbes, Duncan, 109–110
Francis II, 136–7
French Alliance, 34, 45, 65–9

Gaelic, 10–11, 20, 28, 110–14
Galloway, 28, 52
Glasgow, 157, 196–7, 210, 216, 219, 230
"Golden Acts," 147
Gordons, 95, 97–9, 129–30

Hamilton, Patrick, 131
Harlaw, 47, 48
Henry VIII of England, 64–8

Inverness, 48
Isles, The, 13, 29, 46–9, 58, 61

Jacobites, 78–80, 108–10, 188, 214
James I, 47–9, 53, 122, 231–3, 234
James II, 49, 55–8
James III, 58–61
James IV, 61, 130, 201–2
James V, 62–7, 76, 128–9
James VI, 73–6, 143–54, 203, 232–3, 237–9, 240
James VII, 78, 167–8
John XXII, 124
Johnson, Dr., 112–14, 176, 185
Joint Stock Companies, 209–13

Kelso, 175
Kennedy, Bishop, 125
Knox, John, 70, 77, 96, 133–41, 144, 153

Largs, 29
Laud, Archbishop, 154
Lauderdale, Duke of, 167
Law and Law Courts, 20–8, 240–1
Leighton, Robert, 166
Leith, 138
Livingstone, Sir Alexander, 53
Lollards, 130
Lothians, 28, 83

Malcolm II, 13
Malcolm III (Canmore), 13–15, 40, 115–17, 118
Malcolm IV, 16, 97, 120
Margaret, Queen of Malcolm III, 15, 115–17
Margaret, Queen of James IV, 62–5, 66
Mary, Queen, 67–74, 135–8, 140
Mary of Guise, Queen of James V, 68–9, 133–8
Melville, Andrew, 141–5, 147–8, 151
Methven, 38
Monck, General, 163
Monmouth, Duke of, 167
Montrose, Marquis of, 79, 107, 161, 162

Navigation Act, 208
Netherlands, Scottish Trade in the, 201–2
Neville's Cross, 45
Norham, 33
Norsemen, 18, 29

Otterburn, 51

Paisley, 218
Patronage, 170–1
Pentland Rising, 166
Perth, 135, 196, 197
Perth, Five Articles of, 153–4, 157
Picts, 11–13
Prayer Books, 153–7, 160
Preston, 162
Prestonpans, 109
Protectorate, 207

Rizzio, David, 72
Robert I, 36–40, 44, 227–8
Robert II, 47, 50
Robert III, 51, 101
Roslin, 36
Roxburgh, 58, 201, 226
"Run-rig," 182–4
Rutherglen, 196

St. Andrews, 67, 118–20, 130, 131
Sauchieburn, 60
Scott, Sir Walter, 51, 81, 89, 111, 191
Serfdom, 179–82, 221–4
Stirling, 35, 56, 195,

Turgot, 118–20
Turnips, 185

Union of the Crowns, 75–6, 207
Union of the Parliaments, 213–19

Wallace, Sir William, 14, 35–6
War of Independence, 9, 30–42, 44–6, 122–4
Westminster Assembly, 160
William the Lion, 17, 29–30, 86, 120–1
William of Orange, 78, 79, 168, 169
Wishart, George, 132

PRINTED IN GREAT BRITAIN BY RICHARD CLAY & SONS, LIMITED, BUNGAY, SUFFOLK.